Commentary

VOLUME EIGHTY-FIVE • NUMBER FIVE • MAY 1988

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Books in Review
Daniel Pipes / Daniel Casse / David Singer / George Russell / Charlotte Low

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The START Treaty

TO THE EDITOR OF COMMENTARY:

Patrick Glynn's article, "Reagan's Rush to Disarm" [March], deserves serious comment.

Let me begin with the title. It correctly describes the thrust of the article, but the article, in important respects, deviates from the facts and comes to what I consider to be unwise conclusions.

The article assumes with regret that the INF treaty will be ratified. It directs its heavy artillery against the START treaty which is still in the process of being negotiated. It strongly urges that the process be halted or slowed down (a) because reductions in START weapons could be destabilizing rather than stabilizing, and (b) because arms-control agreements and even the process of negotiating them instill euphoria, decrease American willingness to endure sacrifices for sufficient defenses and security, and divide us from our allies.

I would suggest, first, that the President is not "rushing" toward a START agreement. The U.S. began bilateral discussions looking toward the limitation of offensive strategic nuclear systems in the Johnson administration twenty years ago. I have personally been involved in that effort for much of those twenty years. The START negotiations began in 1982; they were broken off in 1982 and then resumed in 1985. The stakes are serious, the results have been slow in coming, but I would contend that we have learned much and made significant progress as a result of that persistent effort. Nothing has happened recently which would justify a decision now to reverse gears or to call it off.

And, second, the President's intent is not that a START treaty cause the sides to "disarm" (which suggests unilateral reductions). On the contrary, his consistent goal has been to achieve stabilizing and verifiable reductions on both sides which will reduce the dangers of a military confrontation with the USSR to the benefit of both sides, while maintaining a more stable nuclear deterrent as the bottom line of our defense.

Let me now turn to the substance of the article. It begins by asserting that in the last few months the "precarious balance between realistic interests and idealistic impulses that determines the direction of American foreign policy has been seriously upset." In the next paragraph we find out what Mr. Glynn means by that assertion. It is "the surprising transmutation of U.S. proposals for 'deep reductions' in nuclear weapons from a widely discounted propaganda initiative into an imminent strategic reality."

I have long doubted the wisdom and judgment of those who believe they are smart enough to hide their true intentions behind propaganda ploys. There may have been those who thought the zero option could be used merely as such a ploy to defeat arms control. I thought this wrong in 1981; I thought that the zero option was the optimum framework from which to conduct an INF negotiation even if we could not fully achieve a zero outcome. As it turned out, it was possible.

In other instances there have been those who thought it wise to hide behind the difficulty of verifying compliance with a particular measure rather than relying on other sound reasons for opposing the measure in the first place. This notion embarrassed us for a time in explaining our position on a comprehensive test ban when we put too much weight on verification arguments. We eventually straightened this out by correctly stating our position that, as long as we had to rely upon nuclear weapons for the bottom line of our defense, we would need to continue nuclear testing at some appropriate level, whether or not such tests could be detected and verified.

Similarly with START, some have incorrectly put the emphasis upon reductions *per se*. But the President's position is that the reductions must be stabilizing reductions. We have already gone some distance toward assuring that this will be the result of a START treaty. The 50-percent reductions in warheads on Soviet heavy missiles and the 50-percent reduction in Soviet throw-weight move strongly in that direction; we have no heavy missiles and the Soviet level of throw-weight is today more than double ours.

As a result, those reductions would go far toward reducing the Soviets' advantage in the aggregate power of their ballistic missiles. But some of the most difficult negotiations are still before us. We need to work out further provisions—

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particularly, effective verification provisions—to assure that we will achieve enhanced stability. We must also actually deploy those improvements to our forces that will provide the required stability, and this may well take greater budgetary authority for strategic systems than is now authorized by Congress.

National security cannot be obtained on the cheap. Mr. Glynn is correct in emphasizing that stabilizing arms-control measures are not a means to save money; to make them work to our advantage will require continued improvement and modernization of our remaining strategic forces.

Some estimate that 20 percent or more of the Soviet Gross National Product is devoted to the military. United States budgeted defense expenditures for 1988 amount to 5.7 percent of our GNP as opposed to 7 to 9 percent during the Eisenhower administration. It is not a relative increase in U.S. defense expenditures that created the U.S. budget deficit.

Nor is it arms control that brought about the inadequate U.S. appropriations for defense purposes. Mr. Glynn suggests that the ABM treaty caused the demise of our ABM program. That is the reverse of the facts. Congress was about to cancel our ABM program before the ABM treaty negotiations began. We were able to assure continuance of the ABM program in 1969 only because some of the Senators saw that without an ABM program of our own, we would never be able to negotiate limitations of the Soviet ABM program which had gotten under way well before ours.

Similarly, we would never have been able to deploy our INF missiles in Europe unless the decision to do so had been coupled with the concurrent decision to enter into the INF arms-control negotiations with the Soviets. And we would never have been able to succeed in obtaining the elimination of the Soviet SS-20s unless we had earlier done both those things.

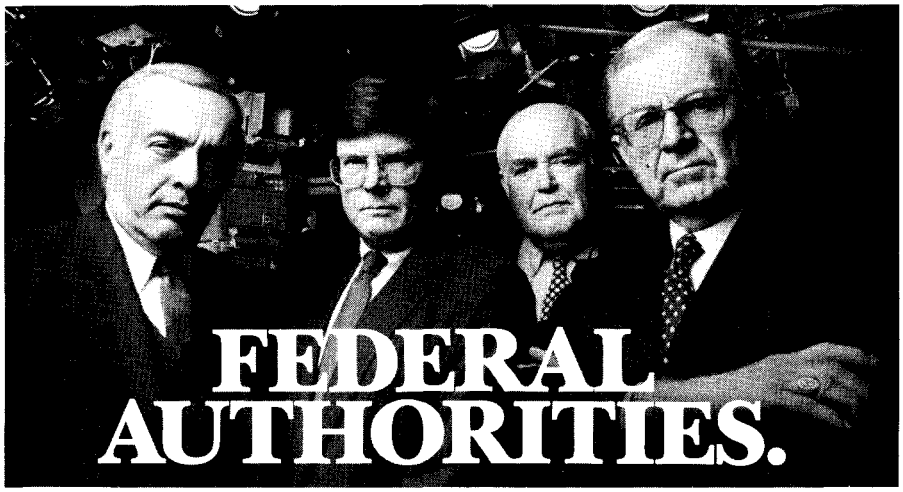
In the West, arms control has long been a necessary component of our national-security policy and of the West generally. Our security policy will not be successful if we fight that fact as Mr. Glynn would have us do. We must keep the U.S. objectives in arms control clearly before us. They are not reductions for reductions' sake or agreement for agreement's sake; they are to achieve stabilizing limitations and reductions which will enable us to reduce the risk of war.

In Section III of his article, Mr. Glynn says that a START agreement fails to deliver what it purportedly promises to deliver—namely, an increase in "crisis stability." He quotes General Brent Scowcroft, James Woolsey, and John Deutsch as saying that the "fast-moving strategic-arms negotiations" are leading to results that could "decrease stability and damage our allies' confidence in our deterrent."

The word "could" is a rubbery word. A good agreement has not been assured; therefore, a bad agreement is theoretically possible. But the President and those working for an agreement are determined that it shall not be a bad agreement. The President has made it clear he will reject a bad agreement. The question, then, is not whether a START agreement could be a bad agreement but whether it can be a good agreement; specifically, the question is: can a good agreement improve the prospects for "crisis" stability over what they would be in the absence of an agreement?

There are obvious limits to what an agreement, or a treaty, can do. It can assure that specified reductions in Soviet forces are to take place; it can assure the U.S. the right to maintain survivable forces sufficient in number and in quality for us to have high confidence in deterrence, even in a crisis where the stakes may be high. Actually to maintain such forces requires executive-branch leadership and congressional and allied understanding and support; an agreement can permit such forces but by itself cannot provide them. But neither can the absence of an agreement provide them; without an agreement, the task can become more difficult.

I believe an agreement will be seen as a good agreement if it reduces the imbalance in the destabilizing forces arrayed against us and makes it more feasible for us to assure and to maintain deterrence. INF is such an agreement; START can be an even more important step. But agreements can only establish a framework for forces and force levels that can enhance stability and reduce the risk of war. It is up to the United States and its allies to maintain the resolve and expend the necessary efforts to de-



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PAUL H. NITZE
Ambassador at Large
Department of State
Washington, D.C.

PATRICK GLYNN writes:

I would begin by drawing attention to what Ambassador Nitze's letter does not contain—namely, substantive responses to virtually any of the criticisms raised in my article.

First, and perhaps most conspicuously, the letter does not provide a shred of evidence to support the administration's central and oft-repeated contention that the START agreement would be stabilizing. It is not enough to point out, as Ambassador Nitze does, that the START limits would reduce Soviet throw-weight and heavy missiles by 50 percent—however such reductions may narrow, on paper or in fact, the Soviet advantages in throw-weight or heavy missiles. The real problem at issue, as Ambassador Nitze well knows, is not Soviet capabilities *per se*, but U.S. vulnerability. The fact is that under START, U.S. strategic vulnerability would not improve; it would worsen. That is because, as I pointed out in the article, cuts in Soviet forces would be matched—indeed, more than matched—by cuts in U.S. forces. Ambassador Nitze is at pains to remind us that the START reductions would not be unilateral. But his observation cuts both ways. True, the Soviets would have less throw-weight under START. But because of steep reductions in U.S. land-based missiles, they would also *need* less throw-weight to accomplish the same mission—i.e., destroying U.S. ICBMs preemptively. To show that START increases "crisis stability," Ambassador Nitze must show either (1) a reduction in the vulnerability of our land-based forces, or perhaps (2) an increase in the survivable portion of our sea-based retaliatory forces. He is unable to show either outcome because START would not produce either outcome. On the contrary, START would do virtually the opposite—marginally *increasing* the vulnerability of our land-based forces while sharply *reducing* that element of our deterrent—ballistic-missile submarines (SSBNs)—which today remains invulnerable.

One cannot lay claim to stability simply by invoking the term again and again; one must demonstrate its existence by hard analysis. The absence of such analysis from Ambassador Nitze—whose grasp of, and interest in, the technical minutiae of arms control is legendary in the strategic community—is striking.

There are a host of other serious criticisms to which Ambassador Nitze, in a 1,500-word letter, offers no answer at all: for example, the significant problem, raised in the article, of *uncontrolled* weapons—the fact that our fleet of SSBNs would be cut from 37 to perhaps 18, while (as Scowcroft and company remind us) the 100-strong Soviet fleet of attack submarines designed to track and destroy these would be completely unaffected by the treaty; or again, the fact that U.S. bombers and missiles would be cut back without any parallel cutbacks in Soviet air defenses or ABM capabilities designed to defeat these U.S. retaliatory forces.

Ambassador Nitze is also silent on the problem of START's potentially debilitating effect on our future conventional capabilities. As I pointed out, difficulties in distinguishing between nuclear and conventional weapons for purposes of verification may well lead in START, as they led in the INF treaty, to acceptance of sharp limits on conventionally-armed cruise or ballistic missiles, thereby undermining our ability to take advantage of precision-guidance conventional technologies crucial to lessening our future dependence on nuclear weapons.

Finally, Ambassador Nitze makes no effort whatever to dispute the contention of the article that the START agreement would effectively mean an end to the possibility of strategic defenses—a prospect about which I should think this administration would be more concerned.

His response on verification is likewise wholly unsatisfactory. It is not sufficient to reiterate again and again that President Reagan is committed to achieving effective verification: eventually, one must give some concrete hint as to how this worthy goal is to be achieved. For example, Ambassador Nitze refers to the need for "continued improvement and modernization of our remaining strategic forces" under START. But will those remaining forces include mobile missiles? This is a rather important question. Ambassador Nitze does not answer it, presumably because he does not yet know the answer. Yet while mobile missiles might help alleviate some of the instabilities resulting from START, the presence of such missiles—as the government, in effect, has admitted—would render a START agreement unverifiable. (The very fact that so critical a feature of the agreement as the U.S.-proposed ban on mobile missiles is still up in the air in interagency disputes at this late hour is suggestive of the administration's paralysis and confusion on vital issues.)

I agree with Ambassador Nitze's point that verification has sometimes been used disingenuously by conservative critics of arms control as an argument against treaties that were really being opposed for other reasons. In my view, for example, some recent conservative criticism of INF verification has been too categorical. (The real problems with that treaty, in my opinion, are military-political.) While I do not view the INF verification as terribly foolproof, and while I would hardly be surprised to discover that the Soviets have concealed a substantial secret reserve of INF missiles, I believe the treaty's ban on flight-testing—assuming it is actually enforced—would gradually diminish the military value of such a secret reserve. More crucially, in the absence of a START treaty, such a secret reserve would probably not pose a very significant threat—since the SS-20 has essentially become a redundant system for the Soviets anyway. (If we sign on to START, that is another matter.)

But is anyone seriously prepared to argue that the same low standard of confidence can be applied to an agreement halving and restricting for all time our central strategic arsenal, effectively the core guarantee of Western security? Imagine an intelligence dispute, under a START treaty, over the size of a substantial secret Soviet reserve of *strategic* missiles. The possibility of such a reserve could easily unsettle Western public confidence in basic nuclear deterrence and in American power to resist Soviet aggression.

And yet what is to prevent such a dispute from arising? The administration may sincerely desire effective verification; but it seems to overlook the rather obvious problem that the persistently closed nature of Soviet society simply forecloses verification adequate to mon-

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itor radical disarmament on this scale—the fact that there probably is no solution to verifying an agreement like START, short of a truly fundamental change in the nature of the Soviet regime. The tools are simply unequal to the task. Not only are satellites at a disadvantage in monitoring modern mobile weapons, but even on-site inspection is extremely limited as a method of tracking compliance. Nor should we forget that inspection rights in the Soviet Union can be purchased only at the heavy cost of exposing our own sensitive facilities to Soviet penetration—not a trivial price to pay.

This does not even touch on the deeply troubling issue of noncompliance: the already proven Soviet willingness to violate arms treaties, sometimes very seriously, and the proven unwillingness of Congress to respond effectively to, or at times even to recognize, such cheating—yet another problem which Ambassador Nitze fails to address.

At the same time, Ambassador Nitze's letter includes a rather striking admission—namely, that the START agreement *will not save money*. Indeed, Ambassador Nitze does not appear to dispute my contention that START is likely to *cost* money—that defense with START will prove more expensive than defense without it.

The obvious question, then, is why? If it is clear from hard strategic analysis that the START agreement will not add to but rather detract from stability; if the agreement cannot be verified with anything approaching a reassuring level of confidence; if it will not save but rather cost money—billions of dollars—and effectively end the possibility of strategic defenses, then why is the Reagan administration in such a hurry to conclude it? And hurry is the word. When the Secretary of State returns from a Moscow ministerial meeting in late February and gives a harried bureaucracy a month's deadline to resolve a host of interagency disputes that have been years in the making; when it is only reportedly in response to behind-the-scenes congressional objections that the President publicly acknowledges a few days afterward that "common sense" dictates it might not be possible, after all, to conclude the START treaty by a spring summit; when three weeks later the White House reverts to the formula that it is "hopeful" the treaty might indeed be concluded by the meeting, the sense of urgency (not to say internal confusion) seems to me self-evident.

Indeed, Ambassador Nitze's protestations on this score might be more credible if he were not in the forefront of those publicly hurrying the process forward. Notably, on the December 11 edition of the *MacNeil/Lehrer Newshour*, he flatly rejected Henry Kissinger's prudent suggestion that the United States make some beginning on serious conventional arms negotiations before rushing to conclude a START treaty, contending that Kissinger's approach would require waiting "too long." In Ambassador Nitze's words: "I believe that the time framework in which it is possible to get a START agreement is not that long. I think if we don't get it . . . worked out during the first six months of '88, I think it will be difficult for a new administration, of either party, to come in and really get cracking on this thing in less than a year or two. And that will be three years from today. And I think that time gap is too long."

Is this not impatience? Is this not urgency? The START treaty would involve the physical destruction of roughly half our strategic arsenal, including thousands of our most effective and invulnerable weapons; the administration is seeking to conclude the agreement in a matter of months or weeks during a presidential election year. Under the circumstances, I believe the words "rush" and "disarm" are entirely appropriate.

And the question persists: why? If Ambassador Nitze's letter suggests an answer, it would seem to be Congress. The reason the administration is proceeding with START, his letter implies, is to help maintain congressional support for defense spending. Now that might seem like a reasonable argument. But here again logic and history fail utterly to sustain Ambassador Nitze's position. While one might fairly argue that a willingness to engage in negotiations and even arms-control negotiations may be necessary to maintain support for our defense effort, it by no means follows that these negotiations must be aimed at achieving the most radical reductions, much less that an agreement must be concluded within a matter of months to sustain congressional support. I submit that few on Capitol Hill, Democrats or Republicans, will be found weeping if President Reagan fails to conclude a START agreement before January 1989. To achieve such an agreement will require nothing less than an extraordinary effort on the part of the executive branch during the final months of an administration; yet Ambassador Nitze has been among those publicly urging such an effort.

Nor is there any basis whatsoever, historical or otherwise, to believe that conclusion of the treaty would reinforce congressional support for defense. Indeed, historical experience suggests just the opposite. Ambassador Nitze's contention that the arms-control talks saved the Safeguard ABM system in 1969 is fundamentally misleading. On the contrary, it was precisely the prospect of upcoming strategic-arms talks that led many to question the need for the United States to deploy an ABM system in 1969. The opponents of ABM were precisely those who believed that the SALT talks held out an alternative which would eliminate the need for a U.S. counterdeployment. Many congressional liberals, then as now, were eager to win Soviet good will with a preliminary gesture of unilateral restraint by killing Safeguard. The Nixon administration countered (also in terms familiar today) that congressional support of Safeguard would be needed to strengthen the President's hand on the eve of the talks. (That this was seen as a weak argument is shown by the closeness of the vote: 51 to 50.) At any rate, however the Nixon administration may have tried to use the "bargaining-chip" argument to support Safeguard, it was the prospect of the upcoming SALT talks that offered opponents of ABM the strongest argument *against* deployment.

And the fact of the matter is that Congress has a rather poor record when it comes to making the compensating deployments called for by an administration after an arms treaty is concluded. In the mid-1970's, as I noted, Congress imprudently slashed funding for ABM research, needed as a hedge against continuing Soviet ABM activity under the ABM treaty. In the 1980's it failed to approve even half of the requested complement of MX missiles—designed as the main compensating deployment for SALT II. (For this I suppose President Reagan, in abandoning the Carter ad-

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ministration's multiple-point basing system, deserves at least part of the blame.)

No doubt there are many reasons why officials of this government may be pursuing START. But one hopes to heaven that this risky and ill-advised effort is not being undertaken in the absurd hope that an agreement slashing strategic arsenals by 50 percent will stiffen congressional resolve to spend *more* for our national defense. This is Alice-in-Wonderland political logic, unworthy of the principal author of NSC-68.

Let me close with a suggestion: let the administration begin to publicize on Capitol Hill and among the public at large the newly acknowledged fact that the START agreement will not save the American taxpayer a dime, that indeed it will cost money and in all likelihood make our defense effort on the whole more expensive. Let the administration begin to spell out in detail for Congress the costly changes to our forces and the new weapons systems that must be deployed to recapture what amounts to a diminished level of strategic stability under START. Let it do this without even going into the serious problems of verifying the agreement or enforcing compliance when Soviet violations are discovered. Then we shall see, even more clearly than we do today, whence the real pressure for an agreement is coming—whether from Capitol Hill, as Ambassador Nitze implies, or, as seems more obvious, from the White House and the Department of State.

That the administration can offer no better justification for its policies at this late hour I find almost a little surprising. At any rate, the intellectual and strategic bankruptcy of this approach to our security should be plain.

Bork & His Enemies

To the Editor of Commentary:

I agree with what Suzanne Garment writes in her article, "The War Against Robert H. Bork" [January], about the scurrility and ruthlessness of the campaign against Judge Bork, and I too supported his nomination to the Supreme Court. Nevertheless, it was not only the malice of his enemies that defeated Judge Bork. There were serious defects in his jurisprudence that also contributed to the result.

All of Judge Bork's constitutional opinions are derived, directly or indirectly, from his conviction that the Constitution ought to be interpreted in the light of the "original intent" of the Framers of that document. But Judge Bork has never interpreted the intentions of those who framed and those who ratified the Constitution in the light of the doctrines to which they themselves subscribed. This misunderstanding of "original intent"—not only by Judge Bork, but by Chief Justice Rehnquist and Attorney General Meese—I have documented in "What Were the 'Original Intentions' of the Framers of the Constitution of the United States?" (published in the Spring 1987 issue of the *University of Puget Sound Law Review* but written before Judge Bork's nomination).

In 1825, Thomas Jefferson consulted James Madison on the question of what books and documents ought to be considered authoritative for the teaching of law at the new University of Virginia. Madison recommended as the *first* of the "best guides" to "the distinctive principles" of the governments, both of Virginia and of the United States, "The Declaration of Independence, as the fundamental act of Union of these States." . . .

Bork's many writings do not display the slightest awareness that the principles of the Constitution are to be found in the Declaration of Independence—or in any of the other documents of the Founding which express the same philosophical ground for constitutional jurisprudence. . . .

Bork has written that "judges have no mandate to govern in the name of contractarian or utilitarian or what-have-you philosophy rather than according to the historical Constitution." But the historical Constitution *was* based upon a particular version of "contractarian philosophy." For that we have the authority of no one less than James Madison, who wrote repeatedly "that all power in just and free governments is derived from compact. . . ." And John Adams, in the Massachusetts Bill of Rights, wrote that "The body politic is . . . a social compact by which the whole people covenants with each citizen and each citizen with the whole people that all shall be governed by certain laws for the common good. . . ."

Bork's "originalism" is morally stultifying, in that it does not allow him to distinguish the principles of the Constitution from the compromises of the Constitution. Thus he is compelled to speak of the Constitution's "wholesome inconsistencies." But the greatest of all inconsistencies in the original Constitution concerns slavery. And however necessary the compromise with slavery might have been, it hardly deserves to be called "wholesome."

Bork's conception of "original intent" is an invention of contemporary conservative jurisprudence. Although it speaks constantly of history, it rejects the ideas of natural rights and of natural law which were the historic foundation of the historic Constitution. Judge Bork's lengthy testimony gave rise to a widespread feeling—one that did not arise only from the propaganda of his antagonists—that his was a desiccated scholasticism, that had little in common with that passionate commitment to human freedom—under "the laws of nature and of nature's God"—that is the true legacy of our Revolution.

Harry V. Jaffa
Claremont, California

To the Editor of Commentary:

In vilifying the opponents of Robert H. Bork for allegedly vilifying Bork, Suzanne Garment says almost nothing about Judge Bork's own views on the issues. . . . It may therefore be useful to set forth some of these in his own words.

On free speech: as late as June 1987, he declared that he did not think "courts ought to throw protection around" art and literature. Ever since 1971, he has insisted that the Constitution protects only speech related to "the way we govern ourselves"; his liberal views on libel in political matters are related to that exclusive concern with political speech.

On equality: in June 1987, he declared, "I do think the equal-protection clause probably should have been kept to things like race and ethnicity," excluding women and others.

On privacy: even at the confirmation hearing, where he experienced several "confirmation conversions," he insisted that there was no principled way to justify the 1965 decision striking down the laws against the use of contraceptive devices. Other targets of his criticism of privacy law include the 1925 decision establishing a parent's right to send a child to a private school as well, of course, as the abortion decision. . . .

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Although Bork may not personally like poll taxes and literacy tests . . ., as the *Wall Street Journal* has pointed out, "had he been a Supreme Court Justice in the 1960's, he would almost certainly have upheld these laws." . . .

The fact is that whether Bork likes literacy tests, poll taxes, contraception, or abortion law is irrelevant. He was being considered for a seat on the Supreme Court, where he would apply his views of what the *Constitution* requires or permits, not what he would approve were he a legislator. It is his view of the Constitution that the nation repudiated. And not just because of media campaigns. The "nationwide advertising . . . creating pressure on Southern Senators from black organizations," as Mrs. Garment describes it, could hardly have affected a conservative like John Stennis who is not running for reelection, or a retiring Republican like Robert Stafford, both of whom voted against Bork.

Losers are entitled to sulk, not to distort history.

HERMAN SCHWARTZ
The American University
Washington, D.C.

TO THE EDITOR OF COMMENTARY:

In her piece on the defeat of the Bork nomination, Suzanne Garment sprays accusations all over the place. . . . Since Mrs. Garment was herself an active participant in the hard-fought battle over the nomination, there is a temptation simply to avert one's eyes and ignore her public tantrum. But Mrs. Garment's piece is part of a concerted effort, now joined by the former nominee himself, to rewrite history in an attempt to influence the course of future Court nominations. As such it warrants a response.

As the evidence demonstrates, Mrs. Garment is wrong on all counts. The fight over Robert H. Bork's confirmation was a fair fight and he lost it in every arena in which it was contested—among legal scholars, among the American people, and in the Senate itself. Judge Bork's nomination was defeated not for hidden or conspiratorial reasons, but because his clearly articulated views of the Constitution and the role of the courts were viewed by a majority of Senators as at odds with our history and traditions and as a threat to liberty. Far from misleading the public, the process provided an extraordinary learning experience for all of us about the meaning of the Constitution and, in the end, was an affirmation of the historic role of the Supreme Court in protecting our fundamental rights and liberties.

1. Mrs. Garment's first major charge is that the process of judicial selection was corrupted because Bork's opponents decided to cross "the line between the inside politics of judicial selection and the constituency politics of a national political campaign." . . . The danger of allowing constituency politics to intrude on the selection process is that judges "are not supposed to be chosen by popular election" and should not "live in fear of losing their positions for making decisions that yield the 'wrong' results. . . ."

Of course judges should not be vulnerable to retaliation for their decisions. That is the essence of an independent judiciary. But Mrs. Garment has turned matters completely on their head. In performing its constitutional duty to advise and consent to judicial nominations, the Senate affords citizens the only chance they have to assess a nominee's fitness for office. The process is by no means the equivalent of a popular election because the great majority of conscientious Senators in the Bork deliberations, as on other nominations, weighed arguments, not telegrams. As one observer has noted, if a nominee satisfies the people's representatives in the confirmation process, he will never have to answer to them again. So Mrs. Garment's notion of judges living "in fear of losing their positions" makes no sense.

Mrs. Garment evidently has little faith in her own argument since she does not follow it consistently. In her haste to condemn politicization by those who *opposed* Bork, she voices no criticism of Ronald Reagan's 1984 and 1986 campaign appeals for the election of Republicans on grounds that they would ensure the confirmation of judges who would carry out the Reagan social agenda. Nor does she seem disturbed by the Reagan pitch for citizens to pressure their Senators to vote for Bork because he was "tough on crime," a characterization that Bork had the good grace to reject at his hearing.

Perhaps recognizing the flaw in her argument, Mrs. Garment wheels out her fallback position: the problem was not so much that Senators heeded their constituents as that they did not properly understand the politics of their own states. So she suggests that the significance of the black vote in the 1986 Senate elections in the South was inflated because the anti-civil-rights incumbent in Georgia might have won if only white Republicans in the Atlanta area had gotten themselves to the polls. So, too, in North Carolina Mrs. Garment asserts that Senator Terry Sanford's opponent would have won if he had gotten a "Republican's normal share" of the Helms vote. According to Mrs. Garment's logic, if popular will is indeed a legitimate factor in the confirmation process, Southern Senators (who voted against Bork 16-6) should have realized that the 1986 elections were an anomaly—that the racial politics of a Jesse Helms are the "normal" condition of the South. Now that truly may be a principle of "unsurpassed ugliness."

2. In Mrs. Garment's melodrama there are many villains . . . but she reserves a special place in her rogues' gallery for People for the American Way and its founder, Norman Lear. In Mrs. Garment's account, the television ad produced by People for the American Way and narrated by Gregory Peck was "composed of false innuendoes and outright lies."

In this charge as in so many others Mrs. Garment is simply wrong on her facts. She says, for example, that, contrary to the ad's assertion, Bork never defended poll taxes or literacy tests, but merely suggested that the Supreme Court in the poll-tax case could have struck the tax down "on other grounds," presumably proof of racial discrimination. The fact is that over the course of more than half a century, Southern states had used both poll taxes and literacy tests as devices to disenfranchise black citizens. When one device failed, state legislatures came up with another variation. They relied on the slow process of the courts, and the need for proof of racial discrimination in each case. And when it came right down to it, states were willing to use the poll tax to disenfranchise poor white citizens if that were the cost of keeping blacks off the rolls.

That is why black citizens in 1964 challenged the poll tax as a form of *economic* discrimination that violated the Fourteenth Amendment and why Congress in 1965 outlawed the use of literacy tests in Southern states without requiring case-by-case proof of racial discrimination.

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So Mrs. Garment begs the question when she suggests that Bork was only quibbling about the rationale and not the result. In fact, he challenged the authority of the Supreme Court (in the case of poll taxes) and Congress (in the case of literacy tests) to take the only effective actions that were available to them to enfranchise black citizens.

Neither People for the American Way nor any other Bork opponents that we know of ever charged that Bork favored poll taxes, although his 1973 statement that the Virginia poll tax "was a very small poll tax, it was not discriminatory, and I doubt that it had much impact on the welfare of the nation one way or another," certainly raised legitimate questions both about his sensitivity and accuracy.

Similarly, Mrs. Garment is wrong in charging that People for the American Way and others were "guilty of yet another misrepresentation" in citing Bork's statements that the 1963 civil-rights bill barring racial discrimination in public accommodations was based on a principle of "unsurpassed ugliness." Aparently the "misrepresentation" lies in the failure to point out that in using the phrase "unsurpassed ugliness," Bork was borrowing words that Mark deWolf Howe had applied to segregation. But Bork's meaning was crystal clear when he wrote, even as 200,000 people were gathering to hear Martin Luther King's "I Have a Dream" speech, that barring racial segregation in restaurants and hotels and theaters was, for proprietors who practiced such discrimination, "a loss in a vital area of personal liberty" and a form of coercion that "is itself a principle of unsurpassed ugliness." Whether the phrase was borrowed from Howe or was Bork's own, the meaning was the same. Presumably Bork borrowed the quotation because he deemed it apt.

Mrs. Garment continues her string of errors when she says that the People for the American Way ad was "just as bad" in its statement that Bork "doesn't believe the Constitution protects your right to privacy." Mrs. Garment contends that Bork *does* believe in a right to privacy but not the "generalized" one that Justice Douglas articulated in the *Griswold* case, the 1965 decision in which the Supreme Court struck down a Connecticut law making it a crime for anyone, even married couples, to use birth control.

The statement in the ad was based on a 1971 Bork article saying that the desire of a "husband and wife to have sexual relations without unwanted children" was indistinguishable for constitutional purposes from the desire of an electric-utility company to "void a smoke-pollution ordinance," and in a 1982 speech that "the result in the *Griswold* case could not have been reached by interpretation of the Constitution." At his hearing, Bork tried for a while to soften these views by suggesting that rights to privacy might indeed be found elsewhere in the Constitution. But in the end he could find no basis in the Constitution for striking down Connecticut's anti-birth-control law. His reassurances that the Fourth Amendment protects privacy by guarding against unreasonable searches and seizures would provide no help to the Connecticut couple or to those asserting similar claims.

Contrary to Mrs. Garment's allegations, People for the American Way's television and print ads were only a small part of the detailed research, costing a fraction of what she asserted. Legal analysis and public-information efforts engaged in by People for the American Way and other civil-rights, civil-liberties, religious, and civic organizations were at the core of the campaign. . . .

But even if the ads are taken in isolation from all else, they require no apology. The hurt they caused was the sting that the truth sometimes inflicts.

3. Perhaps the most bizarre notion of all is Mrs. Garment's assertion that the real basis of opposition to Bork was not a fundamental disagreement over constitutional principles but the threat that Bork represented to the "liberal monopoly over the great academic institutions."

Mrs. Garment paints a picture of Robert Bork as a lonely gladiator angering liberals by storming one of the "great bastions of liberal jurisprudence"—a portrait that will come as a surprise to those who know the Yale Law School of Eugene Rostow, Ralph Winter, the late Joseph W. Bishop, Jr., and the late Alexander M. Bickel, among others. Her suggestion that there is a "liberal monopoly over the great academic institutions" ignores the predominance of conservative scholars at the University of Chicago Law School and elsewhere. . . .

Mrs. Garment's assertion that the battle was really over control of the heart and soul of American law schools misses the point of the entire process. Perhaps to her mind, the ideological and personal struggles that take place in universities, or, for that matter, in the boardrooms of corporations or newspapers, are the most important and exciting things. But she trivializes and cheapens the Bork confirmation process to suggest that the struggle was that kind of petty power play.

In fact, the Bork confirmation would never have engaged the attention of the Senate and the American people if it were not about something much larger. That something concerned flesh-and-blood people and their problems. The issue was whether the constitutional principles that had led the Supreme Court in the past to rule that racially restrictive covenants could not be enforced against black home-seekers, that political dissenters could have their say without fear of imprisonment, and that states could not make it a criminal offense for people to use birth-control devices would continue to be available to racial, religious, and political minorities who today seek the protection of the courts.

The continued applicability of these principles—essentially that the Constitution is capacious enough to encompass rights that are not explicitly guaranteed by its text and that the courts will protect the liberties of people who cannot obtain protection from the elected branches of government—is hardly an ironclad guarantee to minorities that their claims will be vindicated. . . . But in the wake of the rejection of the man who repudiated this understanding of the meaning of the Constitution and the role of the judiciary, the principles take on a new vitality; they are reaffirmed as standards against which judges will measure their own actions.

Of course, there is irony in all this. The Reagan administration began by warning the courts to heed "the groundswell of conservatism evidenced by the 1980 election" and by calling on the public to put pressure on the judiciary. In the Bork confirmation battle, the American people responded by making clear that the courts should remain the single branch of government where the majority does not rule and where citizens can obtain relief from its excesses. Suzanne Garment may lament this turn of

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events, but for most of us there could be no more appropriate celebration of the bicentennial of the Constitution.

WILLIAM L. TAYLOR
Consultant to People for the American Way on the Bork nomination

ARTHUR J. KROPP
President, People for the American Way
Washington, D.C.

TO THE EDITOR OF COMMENTARY:

There is much truth in Suzanne Garment's article. There is also much truth, of crucial importance to any rigorous assessment of the Bork controversy, that she failed to mention at all.

It is easy enough to demolish the Left. But what about the people *not* of the Left who had serious misgivings about the Bork nomination to the Supreme Court? Mrs. Garment did not address these. Nor did she confront the fact that Judge Bork hurt himself badly during the hearings because he was perceived by a number of Senators (and others) to have retreated from positions he had held for so long and often had espoused so passionately —the so-called "confirmation conversion." For one example, Bork had stated previously his belief that the Fourteenth Amendment was not intended to incorporate the Bill of Rights, i.e., to apply the Bill of Rights to the states. In his testimony, however, he declared his "full acceptance of the incorporation doctrine." After Bork testified, one of his staunchest supporters, Bruce Fein of the Heritage Foundation, was moved to observe, "Bork is bending his views to improve his confirmation chances, and it's a shame."

In an op-ed piece in the Chicago *Tribune*, Philip B. Kurland of the University of Chicago law school, by no means a man of the Left, had this to say: "Bork's entire current constitutional jurisprudential theory is essentially directed to a diminution of minority and individual rights." In his testimony before the Senate Judiciary Committee, the well-respected John Hope Franklin, professor of legal history at Duke University, remarked about Bork: "One searches his record in vain to find a civil-rights advance that he supported from its inception."

The point is that a wide range of scholars examined Bork's record and concluded that he was basically hostile to the Supreme Court's record as protector of civil rights and civil liberties, though one would hardly discern this from Mrs. Garment's article. For constitutional reasons persuasive to Bork, far more often than not he would uphold the power of the executive and legislative branches over that of the judicial branch to grant redress in cases where individual citizens claim to be aggrieved by government.

There was nothing in the article about the key role played by Pennsylvania Republican Senator Arlen Specter. Unlike some of the others, Senator Specter had no "original intent" to defeat Judge Bork. Probably more than any other Senator, he had done his homework carefully before the hearings began. . . . Senator Specter's questioning of the nominee was generally acknowledged to have been thorough, incisive, and eminently fair. He treated Bork with the respect and consideration he deserved, yet he was deeply troubled by many of his responses. For instance, Senator Specter found it hard to understand how Bork could take an expansive view of presidential power, finding room for "organic development" of that power under the Constitution, but apparently finding no such room for "organic development" of the meaning of "liberty" for individual citizens under the Constitution.

In an op-ed piece in the New York *Times*, Senator Specter said, "I reluctantly decided to vote against him, because I had substantial doubts about what he would do with fundamental minority rights, about equal protection of the law and freedom of speech."

One of the most devastating comments on the Bork nomination was made by Senator John Warner, a Virginia Republican, normally almost unfailingly loyal to the administration. Senator Warner said that he had really wanted to support Bork and had agonized for weeks before he decided to vote against confirmation. In Senator Warner's words: "I searched the record. I looked at this distinguished jurist, and I cannot find in him the record of compassion, of sensitivity and understanding of the pleas of the people to enable him to sit on the highest Court of the land."

Mrs. Garment's failure to come to grips with the reasons given for the rejection of Judge Bork by people of the caliber of Senators Specter and Warner discredits her article.

SAMUEL RABINOVE
White Plains, New York

TO THE EDITOR OF COMMENTARY:

Suzanne Garment's detailed article was timely, excellent, and needed, particularly by those of us who were wondering what constitutes reality. Like most people, I knew nothing of Judge Bork, but I was willing to learn. Also, I was interested in hearing the questions one asks a candidate for the Supreme Court. Therefore I read newspaper accounts and magazine articles, listened to talk shows, and watched various political-analysis programs. In particular I listened to the snippets of testimony on the television evening news programs and the interpretations offered by the network reporters and anchors. Late at night I would listen to extensive playbacks of the day's proceedings (I think on C-SPAN). . . .

When I compared the day's testimony of Bork opponents and supporters with the network news excerpts, I had the sense that they were fairly reported. Yet when I made similar comparisons with Bork's own testimony I was appalled at the differences. The networks had prepared me to hear a social Neanderthal. . . . Instead, I heard the opposite. I saw and heard a brilliant man, in response to specific questions, brilliantly analyze and expound on the law. I saw Democratic Senators apparently completely uninterested in anything the man had to say. Night after night my wife heard me exclaim, in anger, at the misrepresentations provided daily by the print and electronic media. . . .

What I found most disturbing was that these hearings provided further proof of my observations . . . that liberals have a totalitarian mentality, they are absolutely intolerant of any ideas that differ from their own. I have never felt so politically vulnerable, even threatened, as I do today by the power that the Left has over the media and other organizations and institutions in our society that shape our culture. . . .

SHELDON F. GOTTLIEB
Mobile, Alabama

TO THE EDITOR OF COMMENTARY:

. . . Notwithstanding the blatant political war against Robert H. Bork, including the demagogic

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statements by Senators Biden, Kennedy, Metzenbaum, Leahy, *et al.*, the television campaign . . . , and the intimidation of witnesses, Bork's opponents contend that it was the hearings and the principled discussion of constitutional law therein that determined his fate. . . .

Having viewed or listened to most of the testimony during the hearings . . . , I can only conclude that Bork's opponents were destined to defeat his nomination. From the moment the Senators began their questioning of Bork, I realized that they had either a very simplistic understanding of constitutional law or no understanding at all. . . . Except for the testimony of Bork himself and a handful of the witnesses, there was little principled discussion of constitutional law and none from the Democratic Senators on the committee.

Far from being a lesson in constitutional law, the hearings were a poll of results popular with the Democratic members of the committee. The issue before the committee was whether Bork agreed with the results dear to the members. The scenario played itself out over and over again. Senators would read a diatribe against the nominee and then inarticulately ask Bork to comment. Of course, especially in the case of Senator Kennedy, the script was prepared in thirty-second snippets so that the evening news could report that the nominee was in favor of the sterilization of women, poll taxes, and racially restrictive covenants and against voting rights, abortion, and privacy in the marital bedroom.

Even though Bork stated that he agreed with the result in many of the cases discussed but disagreed with the reasoning, the Senators never relented or conceded. . . .

In essence, Bork and the members of the committee . . . were speaking two very different languages. As a result, the lesson in constitutional law never took place. . . .

The damage to the confirmation process has been done. In the Judiciary Committee's view, the role of the Court is to reach particular results comporting with the prevailing mood in the committee and the Senate. If the committee had its way, we might as well submit the Court's calendar to the Senate for a vote, abolish the Court, and become a nation of men, not laws.

ROBERT S. NAYBERG
Flushing, New York

TO THE EDITOR OF COMMENTARY:

. . . As a supporter of the Reagan administration, as one who feels comfortable with the philosophical thrust of COMMENTARY, as one who began with no preconceptions and spent hours listening to and watching the confirmation hearings, I came away with the feeling that Robert H. Bork was a terrible nominee. Every shot fired in the "war" was fired by the nominee in the direction of his foot. Most of them were on target.

Edward Kennedy, Norman Lear, Gregory Peck, *et al.*, were a sideshow. Robert Bork was the problem. Three cheers for Anthony Kennedy.

MARTIN KATZ
Hartsdale, New York

TO THE EDITOR OF COMMENTARY:

No one likes to lose, and it is easy to understand why diehard supporters of Robert H. Bork like Suzanne Garment are trying to revise history to distort what happened in the landmark Senate vote on the Bork nomination. But Judge Bork was not the victim of a "lynch mob" or of a multimillion-dollar media campaign. In fact, the victory won by progressives and civil-rights advocates in blocking the Bork nomination was largely a grass-roots triumph of hard work and canny organizing, fought fairly and squarely on the issues. As one who was heavily involved in the effort here in Texas, I would like to try to set the record straight on how and why we won.

1. We influenced public opinion, and ultimately Senators, by moving quickly to define the terms on which debate and discussion of the Bork nomination took place. Bork was nominated because he was the most prominent national critic of forty years of Supreme Court decisions. During the last seven years President Reagan and Attorney General Meese have often been rebuffed by the Congress and by the Supreme Court itself in their efforts to follow through on the Right's social agenda, and the Bork appointment was designed to ensure that the administration's impact in these areas would be felt long after January 20, 1989. . . .

While the White House was telling skeptical Senators they had virtually a constitutional duty to rubber-stamp a President's choice, opponents of the Bork nomination were arguing that judicial philosophy was not only an appropriate area of inquiry, but the central question before the Senate. The critical factor in the success of this effort was the decision to focus on the broad issue of the role of the Supreme Court in American society. . . .

The question then became whether Bork was in the "mainstream" of American jurisprudence, or outside it. The White House and Bork tried to overcome his career of strident attacks on the Court and on virtually every major rights decision of the past generation by painting him as a judicial moderate in the mold of retiring Justice Powell. This juxtaposition of the new Bork with the extremist of old redefined the debate yet again. This time it was about Bork's candor and credibility, and the outcome of that debate was fatal to the judge's chances.

2. Despite Bork supporters' efforts to portray him as the victim of a cabal of "special-interest" groups, the opposition to the nomination was extremely broad-based. To be sure, the ACLU, People for the American Way, the AFL-CIO, and various women's and pro-choice groups played a leading role. But in Texas and elsewhere, there was also strong participation by Hispanic and black organizations, disability-rights groups, church leaders, professional clubs, and many others far from the administration's stereotype—the Association of Flight Attendants, the American Public Health Association, the Federation of Temple Women, and others are not so easily characterized as left-wing zealots. . . .

3. We did our homework. Reading Mrs. Garment's charges of a "dirty" anti-Bork campaign, you would think we won by dredging up rumors and old personal scandals. While there was some unfortunate, desperate mudslinging at Senators Biden, Kennedy, Metzenbaum, and others, there was almost none of this aimed at Judge Bork. . . .

What did Bork in was an intensive research effort into his record —a voluminous body of writings and opinions available for examination to anyone who was interested. Bork's opponents compiled it early, analyzed it carefully, and circulated it widely. The message was quickly and effectively communicated to Senators that there should be no rush to judgment on Judge Bork.

Bork was already a disturbing fig-

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ure to many Americans who remembered his role in firing Archibald Cox, and the news that he had been derisive of important Supreme Court decisions on privacy and civil rights served to mobilize, almost instantly, the large and politically sophisticated constituencies of women and minority groups. As one who traveled around Texas speaking on other matters in the first few weeks following the nomination, I can testify to the extraordinary level of palpable fear among members of these groups. What struck me most is that it was not confined to a relatively small circle of civil-rights and feminist activists, but shared by many who had never been particularly politically aware or active. Women were deeply concerned about the real possibility that their reproductive freedom might be curtailed. Blacks were getting the word that Bork had been a critic of the Civil Rights Act of 1964, and had restrictive views of freedom of speech and assembly that would have banned many of the nonviolent protest tactics of the Southern civil-rights movement.

These groups and others came together, state by state, in coalition efforts. In Texas, for example, more than fifty groups came together. They generated thousands of letters and calls to Senators' offices, held press conferences in virtually every major city, obtained the support of hundreds of statewide and local officeholders, and hit the media with everything from letters to the editor to radio talk-show calls.

4. Opponents of the Bork nomination simply outstrategized the White House and the pro-Bork forces in the Senate. Sensitive to the "special-interest" charge, the civil-rights groups opposing Bork kept a relatively low public profile. Well-regarded legal and political establishment figures like former Republican cabinet member William Coleman and former Representative Barbara Jordan came to symbolize the opposition, and none of the organizations in the anti-Bork coalition even testified at the hearings. Arriving at this collective decision required the anti-Bork groups to overcome pressures from their more militant internal constituencies and act instead in their overall best interests. In contrast, the right-wing groups supporting the nomination were plagued by infighting all along.

The Bork fight has made it clear that progressives and civil-rights advocates—not to mention self-styled conservatives—have underestimated the degree of public support for basic constitutional values like privacy and equality. The debate over Bork became a bicentennial referendum on the Constitution, and there was a massive public rejection of the Reagan/Meese doctrine that the Court should protect only those rights explicitly found in the text, and leave most personal freedom and equality issues to the will of political majorities. . . .

GARA LAMARCHE
Executive Director
Texas Civil Liberties Union
Austin, Texas

TO THE EDITOR OF COMMENTARY:

. . . Relatively accurate from the conservative pro-Bork perspective, Suzanne Garment's article did not address the Right's own failure to get the case for Bork to the people. No one . . . denies that the actions of an organized liberal coalition were nothing less than highly charged politics cast in life-or-death terms. Nevertheless, both the Right and Left were aware, well before the August recess, that a crusade instead of a confirmation was about to take place. . . .

That conservatives chose to take the high moral ground . . . shows that they miscalculated the circumstances of the nomination and they continued to do so until it was too late to mount a saving offensive. . . .

Justice Thurgood Marshall of the present Court was one of the most practiced Supreme Court lawyers ever to be nominated for the tribunal. He, too, was eminently qualified at the time of his nomination, and he, too, was a victim of highly charged politics. . . . His President and his backers, however, were ready for either a confirmation or a crusade and for that reason he sits where Bork aspired to be. At the time, the Marshall hearings were just as contemptible as the present-day Bork bashing. The outcome of those hearings can be attributed to a strong-willed administration, convinced that it was pursuing the correct path and willing to expend all of its political capital. No such conviction existed among those who spent the August recess soaking up sun in California. . . .

Judge Bork is an able jurist deserving of a seat on the Supreme Court. But to view the tactics used to defeat him as wrong and as an offense against the normal judicial confirmation process, as Mrs. Garment suggests, requires a memory lapse concerning the "results-oriented" politics of the Reagan administration. Not since President Johnson has an administration pushed confrontation over compromise, and successfully, on such a regular basis. In its zest to make fundamental changes . . . the present administration has continually inserted politics and ideology into what had previously been viewed as nonpartisan government functions. . . .

Blame the liberal Left? No. Instead, blame those who . . . allowed an honorable man to be sacrificed.

ANDRÉ J. GINGLES
Laurel, Maryland

TO THE EDITOR OF COMMENTARY:

I had been looking forward to an excellent analysis of the Bork episode in the pages of COMMENTARY, and Suzanne Garment certainly did not disappoint me. I was pleased that she correctly identified the most dangerous element in the whole affair, namely, the anti-intellectualism displayed in the attacks on Judge Bork. . . .

It was clear that, in attacking Bork, the Left was trying to do exactly what it has always accused the Right of trying to do, namely, to create a litmus test for Supreme Court Justices, one based not on such traits as character, intelligence, and experience, but rather on whether a judge arrives at the "correct" conclusion according to late 20th-century popular social theory. Simply put, the defeat of Bork was a victory for sloganeering and platitudes over reason and intellect. Thus were we treated to such gushy profundities as that Bork's views were "not in tune with the 80's," implying that the trends of a given time are the measure of right and wrong. . . .

A common *tu quoque* used by Bork's opponents in their defense is that it was the President who politicized the nomination process and created the litmus tests, not they. This argument falls flat on analysis. Whatever litmus test the President used applied to nominees from his administration and *only* from his administration. It in no way affects nominees from any future administration, Republican or Democratic. Reagan chose nominees whose philosophy he agreed with, as did Jimmy Carter. So will all future Presidents. As for the Supreme Court, at any given time it is likely

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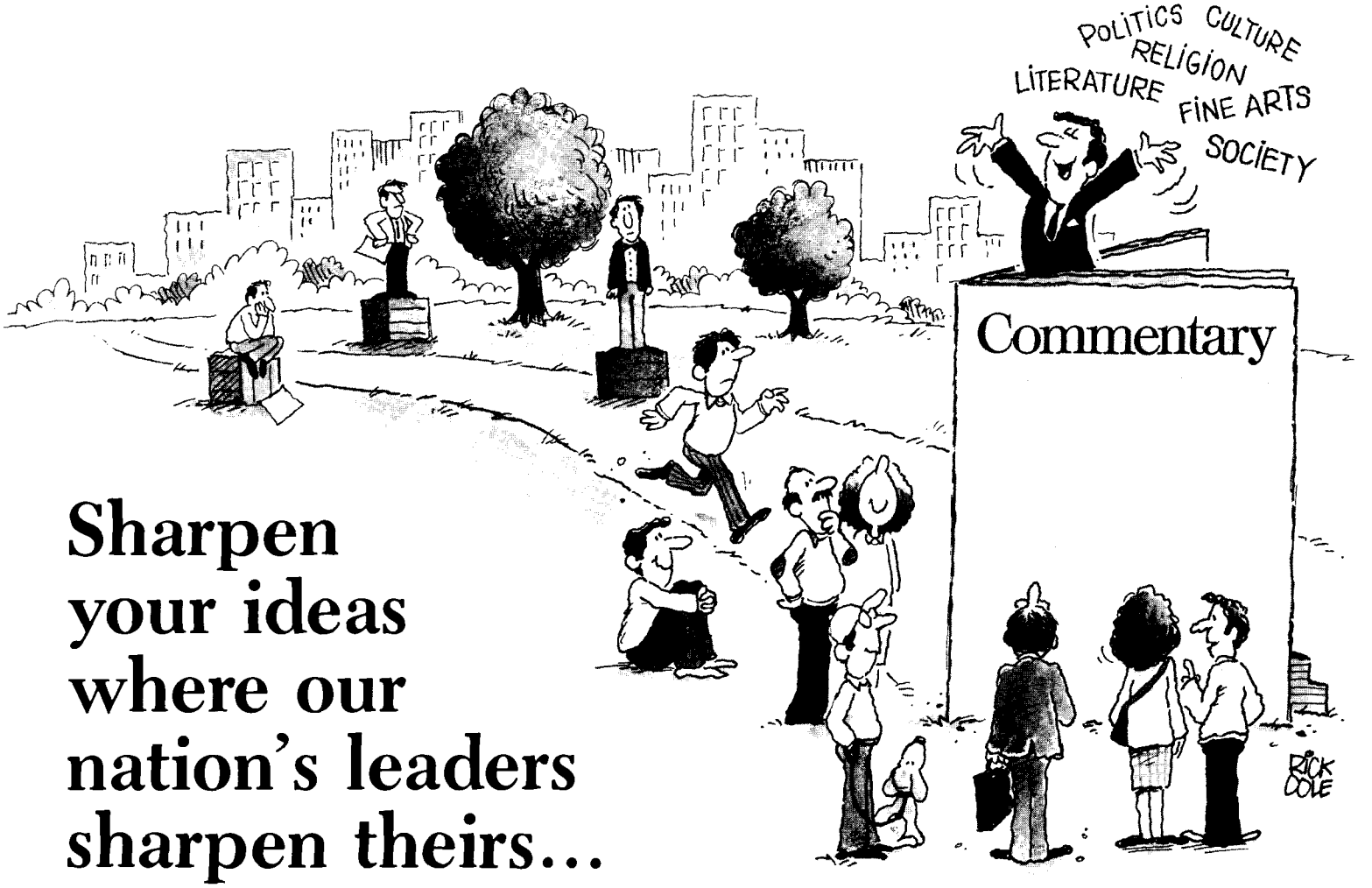

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to consist of Justices nominated by the past five or six Presidents. Because we generally elect very different Presidents over a span of twenty-five to thirty years, this makes it likely that at any given time we will have an ideologically diverse Court consisting of Justices nominated by Republicans and Democrats, liberals and conservatives. Leaving the choosing to the President is the best way of achieving ideological diversity on the Court.

The Senate, on the other hand, consists of two opposing parties in perpetual political strife, with one party in control and the other generally having at least enough power to mount a filibuster. What this means is that any judicial nominee who does not exhibit the most inoffensive centrist philosophy is certain to receive heated opposition from one side or the other, frequently enough to kill his nomination—if the Senate insists on voting on the basis of politics and ideology.

It is thus not hard to see why Senators have tried in the past (with some lapses, to be sure) to avoid using ideology as a criterion for confirmation, and instead concentrated on questions of character and experience. For the worst litmus test of all would be one in which every nominee had to travel the path of least resistance, a narrow tightrope in the middle of the road, where any past statement or ruling, no matter how intelligently argued, that bothered too many people on either side of the Senate chamber would result in possible rejection. The result of this would be a Court made up of monolithic robots. . . .

Ironic, isn't it, how groups which have so often attacked the use of "fear and passion" in political campaigns where the victims were liberals, had no objections to the very same kind of tactics on this occasion, where politics is not even supposed to be a force? . . .

R.K. Becker
Racine, Wisconsin

To the Editor of Commentary:

Suzanne Garment points out that the deepest hatred of the Left is reserved for public figures who champion conservative ideas with a genuine intellectual skill. That is well illustrated in an editorial that appeared in the Detroit *Free Press* (October 1, 1987):

> Mr. Bork, if confirmed, would use his superb legal scholarship in the service of a narrow, potentially dangerous ideology that could reverse hard-won individual freedoms and divide the nation. . . . It would be much easier to oppose Mr. Bork if he were manifestly unqualified for the Supreme Court by lack of intellect or experience. The fact that he is not, and the potential for misuse of his attractive attributes make it all the more crucial that the Senate vote against his confirmation.

Ralph Slovenko
Wayne State University
Law School
Detroit, Michigan

To the Editor of Commentary:

Suzanne Garment ends her trenchant essay with a reference to the intolerance of the Left. She is on target, as usual. A college classmate of mine, and therefore a friend of more than forty years' standing, stopped by last fall and . . . we talked about the Bork affair. He was exultant that Bork had bitten the dust. I raised the question of procedure: Bork or no, should judicial appointments be handled this way? He agreed with my sense of discomfort with the merely procedural aspect. After he left, I sent him a letter in which I sought to continue the discourse, sketching three or four different ways in which judicial nominations might be handled in order to avoid the type of political campaigning we saw in the Bork affair. I invited him to see if he could come up with some fresh ideas too. That was many moons ago. I am still waiting for a reply from my liberal friend. The terrible suspicion arises within me that he is not really dissatisfied with the Bork proceeding.

William F. Rickenbacker
Atkinson, New Hampshire

To the Editor of Commentary:

. . . The willingness of Judge Bork to discuss his previous writings, to explain them away, and to discuss specific cases may have suggested to his opponents that he was vulnerable. . . .

Once Bork revealed his vulnerability, he encouraged his political opponents to make demands that, if not rebuffed, will turn the Supreme Court into the grand marshal of that liberal coalition against Bork that has raised hypocrisy to the level of political art form.

David Zukerman
Bronx, New York

To the Editor of Commentary:

Like many others, including myself, Suzanne Garment deplores the overtly political campaign against Judge Bork. However, the politicization of Bork's nomination, with its attendant distortion and trivialization, occurred as a natural consequence of the constitutionalization of moral issues like abortion and privacy. . . .

The real dysfunction in our political culture is not so much the politicization of the Supreme Court, or the polarization it has caused, as it is the illusion, naturally created by constitutional decisions, that permanent solutions to such fundamental questions as abortion and privacy may be found. How can we imagine that such questions can, or should, ever cease to be debated?

In their scramble to win the war of the Supreme Court, both the Left and the Right have lost sight of an important point: part of living in a pluralistic democracy is accepting that one's political victories are inherently qualified and temporary. I believe that if we all relearned this, polarization would subside, political conflict would return to its natural course, and our political institutions would be able to cope with the task of governing once again.

Ralph Gaebler
Jenkintown, Pennsylvania

To the Editor of Commentary:

Suzanne Garment's article provides the kind of telling commentary which should awaken all thoughtful Americans. The Senate, through its rejection of Robert H. Bork, has now made it clear that it approves of the Supreme Court's deciding cases by using reasons which have nothing whatever to do with the Constitution. In other words, it is perfectly all right with the Senate if the Supreme Court imposes its will and functions as a policy-making body. The American people . . . and the concept of self-government have thus been dealt a real blow. . . .

The balance conceived for our system of government is in real danger. When it becomes accepted practice for national policy decisions to be made by nine unelected Justices with life tenure and our elected Senators do not possess the courage to act to correct the imbalance, some serious questions should be asked by the people. One of them should be, Is this country to be governed by the United States

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Supreme Court? Second, What is it about the Supreme Court that qualifies it to govern? . . .

The defeat of Judge Robert Bork, as portrayed in Mrs. Garment's article, is in fact a real defeat for the kind of self-government people like to believe we have. At the very least, we should pull the veil away and admit that government by the judiciary does exist.

Suzanne Garment, thank you for your incisive analysis. Would that others who need to know might understand the message.

THOMAS A. BUSTIN
Gainesville, Florida

SUZANNE GARMENT writes:

Of all these letters, Harry V. Jaffa's clearly contains the most far-reaching criticism of Robert Bork's jurisprudence. The assumptions we make about the influence on the Framers of a particular contractarian philosophy must have a great effect on our thinking about almost every topic that became controversial during the Bork nomination hearings. Would that the discourse in those proceedings had been about the matters Mr. Jaffa has raised.

I hope he will not take it amiss if instead of dealing directly with his argument, which others are better qualified to address, I merely call attention to an important piece of information in his first sentence: Mr. Jaffa supported Judge Bork's nomination to the Supreme Court. During the confirmation fight, people with far less serious complaints against Bork took a far narrower view of the tolerance appropriate to the citizens of a pluralist democracy in a situation like this one.

Before any discussion of this broad subject, though, comes the job of clearing away some factual underbrush. A few of these letters say things about Bork and the anti-Bork campaign that are not correct.

Herman Schwartz summarizes Bork's views on free speech by saying that Bork thinks the Constitution protects political speech but not art and literature. But over the past fifteen years, as Mr. Schwartz neglects to tell his readers, Bork has come to the view that if we want to protect free speech in the political arena, we must protect art and literature as well. He takes the position, in fact, that constitutional protection extends to anything in the arts short of obscenity.

Neither does Mr. Schwartz inform his readers that Bork has put his judicial opinions where his mouth is. During the time he served on the Court of Appeals Bork's free-speech record was exemplary from the point of view of civil libertarians on issues involving nonpolitical as well as political speech.

Mr. Schwartz summarizes Bork's views on the equal-protection clause by telling his readers that Bork thinks it probably should have been kept to racial and ethnic categories and should not have been extended to women. But Mr. Schwartz does not mention Bork's long-held and express view that the equal-protection clause applies to what its language says it applies to —"any person," which most certainly includes women. What Bork has consistently objected to is a particular interpretation of the equal-protection clause under which the courts must put people into ever-multiplying special categories and give different treatment to the different categories under the same equal-protection clause.

In my article I quoted a TV ad by People for the American Way charging that Bork "defended poll taxes." I said that this was not so, and that what Bork disagreed with was a particular line of reasoning the Supreme Court majority used in addressing the poll-tax issue in the *Harper* decision. In their letter, Arthur J. Kropp and William L. Taylor of People for the American Way reject my characterization. "Neither People for the American Way nor any other Bork opponents that we know of," they say, "ever charged that Bork favored poll taxes."

Well, what about that TV phrase, "defended poll taxes"? "Bork," they give as their justification, "challenged the authority of the Supreme Court . . . to take the only effective actions that were available . . . to enfranchise black citizens."

But the ad said "defended poll taxes." The ad did not say "took actions that had the effect of perpetuating poll taxes," or "revealed at the least a gross insensitivity to the socioeconomic conditions surrounding the operation of poll taxes," or anything else of the sort. The ad said "defended poll taxes." The phrase conveys the plain, ordinary, clear meaning that Bork did something deliberately or actively or at least consciously in behalf of poll taxes. That meaning is what gives the sentence in the TV ad its emotional force and persuasive power. But it is not true.

School of American Ballet student performance. Merrill Ashley. Copyright Martha Swope, 1967.

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The same People for the American Way ad claimed that Bork "doesn't believe the Constitution protects your right to privacy." I said this was not so. Messrs. Kropp and Taylor reject this accusation, too. They justify their radical characterization of Bork's views by charging that he once called a couple's desire not to have children "indistinguishable for constitutional purposes" from a company's desire to "'void a smoke-pollution ordinance.'"

When Messrs. Kropp and Taylar cite this scary quotation, they are withholding some relevant information. Bork used it in an article to illustrate the absurdities of an older, discredited legal era when conservative jurists were guided by ideas of substantive due process that have been resurrected by some on the Left today. Messrs. Kropp and Taylor have turned Bork's meaning on its head. Thus, instead of successfully documenting the "privacy" quotation used in their TV ad, they have managed to compound misrepresentation with more misrepresentation. Once again, what they said on TV about Bork is not so.

More briefly: Messrs. Kropp and Taylor say I distorted reality by picturing Bork as a "lonely gladiator angering liberals" at Yale. As proof of their charge, they produce the names of four other more or less conservative Yale law professors, living and dead. With all due respect, anyone who can make this argument in good faith has not spent much time at Yale with his eyes open. Messrs. Kropp and Taylor must not have noticed, for instance, the unseemly promptness and angry force with which some of Bork's liberal Yale colleagues placed themselves in the visible forefront of the fight against him.

On the same subject, I said in my article that part of the opposition to Bork grew out of political struggles taking place within the universities. Messrs. Kropp and Taylor deny that this could be so, saying of me: "She trivializes and cheapens the Bork confirmation process to suggest that the struggle was that kind of petty power play." I introduce this sentence into evidence on the question of how much Messrs. Kropp and Taylor know about campus politics.

They also seem to accuse me of saying that the "normal" senatorial politics of the South, when white Southerners vote in their usual numbers and in their usual patterns, are "the racial politics of a Jesse Helms." I can assure them, if indeed they are truly worried about this possibility, that I meant no such thing.

Samuel Rabinove thinks Bork underwent a "confirmation conversion" when he said that the Bill of Rights is incorporated into the Fourteenth Amendment. Mr. Rabinove says he holds this opinion because Bruce Fein, a legal activist of the Right, criticized Bork for changing positions on the issue. In fact, Bork has long said that while the "interpretivists" have a good argument when they claim the Bill of Rights was not incorporated, recent evidence on the question has thrown their position into more doubt. Either way, the factors of time, precedent, and practice woven into the very fabric of our society have done the job of incorporation quite satisfactorily. Bork's position does not please the Right. But it is no conversion, either.

On a larger matter, the letter-writers express an interesting variety of opinions on whether the Senate hearing was admirable or contemptible. Sheldon F. Gottlieb and Robert S. Nayberg complain that Bork's testimony was good but badly covered by the press and that the Senators seemed incapable of conducting the serious questioning appropriate to the occasion. Martin Katz, by contrast, thinks Bork's own performance was the problem.

In a similar vein, letter-writers cite the anti-Bork votes of Senators Stennis, Stafford, Specter, and Warner as proof that the Senators cast their votes for high-minded reasons and that therefore the Senate could not have been responding in any decisive part to outside pressures when it rejected Bork. I am not going to discuss the motives and behavior of the particular Senators mentioned. There is not the slightest doubt that some Senators cast their votes for principled, unfettered reasons. As for some others, though, I call readers' attention to the letter from Gara LaMarche describing in detail the vigorous, organized, and politically sophisticated efforts of one wing of the anti-Bork forces to make its voice heard in the Senate. They should then ask themselves how plausible it is for anti-Bork partisans to claim that the Senators never heard those voices.

Another theme in several letters is the question of whether the Reagan administration got what it deserved, first by introducing politics into the selection of federal judges and then by conducting those politics badly in Bork's case. As André J. Gingles points out forcefully, full-blown political storms have affected judicial selection periodically throughout the life of the republic. The Reagan administration did more, critics contend, because it introduced politics as an explicit, routine criterion for choosing judges. Some of those in the Reagan effort say, when asked about this, that their efforts have been peanuts compared with the concerted pressure and systematic target numbers that the Carter administration applied to get more women and minority-group members onto the federal bench.

Insofar as they gave excessive legitimacy to politics rather than to merit as a standard for judicial selection, what the Reagan and Carter administrations did was bad. But for Messrs. Kropp and Taylor to use this recent history as the justification for what they did to Bork is at least as bad. The Carter and Reagan administrations, after all, did their work within the old framework of the bar associations and local legal establishments. People for the American Way, in a great leap forward, took the Supreme Court confirmation process into the age of national media campaigns and grass-roots organizing. This change makes a big difference in the way issues are framed, the sophistication with which they are addressed, and the limits to partisanship. Once again Mr. LaMarche's letter provides evidence.

The letter from R. K. Becker provides a more elegant comment on this matter. Presidents have always tried, within limits, to put like-minded people on the federal bench. Out of these appointments by different Presidents with different views comes, in the short or the long run, judicial diversity. But the anti-Bork people had a more ambitious goal. By calling Bork "out of the mainstream," they tried to establish that no judge with his views should ever be on the Supreme Court, no matter what the administration.

This claim took the anti-Bork partisans into the realm of intolerance, and several letter-writers find this change the most ominous part of the Bork episode.

It is. The most disturbing feature of the letter by Messrs. Kropp and

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Taylor is not its misstatements of fact but the way it makes its major arguments about Bork. Readers will remember their criticism of Bork on the issue of the poll tax. They put it another way when they say that "Mrs. Garment begs the question when she suggests that Bork was only quibbling about the rationale and not the result."

I certainly did not characterize and would never have characterized Bork as "quibbling about the rationale and not the result," because I think the opposite: while an obsession with rationales can result in the sort of desiccated legalism that is a curse to a society, nevertheless the ability to maintain the distinction between the rationale and the result is not a quibble but one definition of the rule of law.

In the *Harper* case, the distinction was about as far from a quibble as one can get. *Harper* was not a case about a racially discriminatory poll tax: throughout the case, no allegation was ever made of racial discrimination. The Supreme Court majority struck down the tax as economic discrimination. Bork has said that if it had been a case of racial discrimination, he would of course have struck it down, but that judging a measure's constitutionality only by how it affects different economic classes is profoundly dangerous. The Supreme Court, agreeing with Bork, has refused to extend the reasoning used in *Harper*.

This issue, as much as the poll-tax issue, raises the question of how we define the fundamental nature of our society. But Messrs. Kropp and Taylor do not care. They persist in saying that if Judge Bork disagreed on *Harper*, it means nothing more than that he was defending the poll tax. For them the distinction between ends and means in the law has disappeared altogether.

We get the same kind of performance from them on the subject of privacy. In my article I said Bork believed in a right to privacy but not in the generalized right of privacy articulated by Justice Douglas in the *Griswold* birth-control case. Messrs. Kropp and Taylor think the distinction is meaningless. They explain that notions of privacy short of Justice Douglas's grand formulation—including its reliance on concepts like the "penumbras" and "emanations" of the Constitution—would not have sufficed to produce the desired result of protecting the married couple in the *Griswold* case. They do not tell their readers why. The reason is that *Griswold* was not a case about the actual private use of contraceptive devices but a test case concerning their public dissemination. That is why the idea of applying a general privacy concept to the particular facts of *Griswold* has proved so perplexing to a large number of scholars in the field and has seemed to carry with it its own large constitutional dangers.

As for the concrete issue that people are really worried about, the privacy of the marital bedroom, Bork has explicitly said it is a situation covered and for all practical purposes made academic by the Fourth Amendment.

But Messrs. Kropp and Taylor do not care about these distinctions, either. They think that by saying Bork would have arrived at the "wrong" conclusion in *Griswold*, they prove that he does not care about the right to privacy. What they really prove is that they do not think it necessary to hold a serious debate about reasons with someone who has arrived at a particular result they do not like.

Finally, for intolerance in spades we must look at the way the anti-Bork forces speak of their victory over Bork. "In the Bork confirmation battle," Messrs. Kropp and Taylor write, "the American people responded by making clear that the courts should remain the single branch of government where the majority does not rule and where citizens can obtain relief from its excesses. Suzanne Garment may lament this turn of events, but for most of us there could be no more appropriate celebration of the bicentennial of the Constitution." Mr. Schwartz, writing about Judge Bork, says, "It is his view of the Constitution that the nation repudiated." Mr. LaMarche says, "The debate over Bork became a bicentennial referendum on the Constitution, and there was a massive public rejection of the Reagan/Meese doctrine that the Court should protect only those rights explicitly found in the text, and leave most personal freedom and equality issues to the will of political majorities."

First of all, this is factually absurd. As Mr. LaMarche himself summarizes the history of the anti-Bork campaign, "Opponents of the Bork nomination simply outstrategized the White House and the pro-Bork forces in the Senate." There was no referendum. There was nothing like "the American people" speaking. If there had indeed been a referendum, the unfortunate event might well have revealed that "the American people" had views more like those of Thomas A. Bustin than like those of People for the American Way.

More important is that political activists who win a fight like this one, especially in the absence of any referendums or other elections, should be very wary of trumpeting their view that their victory was the same thing as the victory of all the people, let alone the people in its bicentennial glory. This is precisely the language of intolerance. It is language that seeks to read its opponents out of national public life and deny that their views have any legitimating base in the population. This was the frightening quality that the anti-Bork leaders revealed during their campaign.

Ralph Gaebler's letter delivers an apt warning on this subject. "Both the Left and the Right," he says, "have lost sight of an important point: part of living in a pluralist democracy is accepting that one's political victories are inherently qualified and temporary." In other words, you must temper your arguments with the awareness that the hated enemies you outstrategized and outspent today may outstrategize and outspend you tomorrow. People for the American Way has done no such tempering. In the same unrestrained spirit with which it attacked Judge Bork, it is now trying to dismiss its opponents as revisionists who are "rewrit[ing] history"—thus revealing its characteristic unwillingness to subject its own story of the campaign to open scrutiny alongside the versions presented by others.

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Israel & the Intellectuals: A Failure of Nerve?

Ruth R. Wisse

I deeply sympathize with you and with the numerous other Jewish dissenters who have raised their voice with courage and dedication to save the adherents of the Jewish faith from the pitfalls and dangers of Zionism. The heavy price you are all paying for your courageous positions sets you apart as symbols of courage and moral integrity, in a troubled world. . . .

—YASIR ARAFAT, chairman of the executive committee of the PLO, commander-in-chief of the Palestine Armed Forces, January 31, 1975

FOR the first twenty years the Arab attack on Israel was crude and direct. Threatening to "push the Jews into the sea," the Arab world reformulated the Nazi theory of *Lebensraum* in Mediterranean terms: there was no room in the region for a Jewish homeland. The Arabs refused the partition of Palestine voted by the United Nations in November 1947; they made no overtures of peace at the conclusion of hostilities in the ensuing war; they deliberately maintained refugees at the borders of Israel as a sign of their eventual return and "resettlement." In those early years, so vulnerable and indefensible did the Jewish state appear in its tiny stretch of land between Jordan and the sea that one could understand the Arabs' confidence in their ability quickly to eliminate the "Zionist entity."

But the task proved more difficult than anticipated. What the Arabs did not reckon on was that a people so recently pushed into ovens would not now permit themselves to be pushed into the sea. Indeed, Jewish determination grew stronger in the face of potential extinction. In June 1967 Israel fought off combined attacks from Syria, Egypt, and Jordan, and emerged with strategic territory on the Golan Heights, the Sinai desert, and what had been since 1948 the West Bank of Jordan, as well as a reunited Jerusalem.

The perceived strength of Israel after 1967 briefly enhanced its popularity in some quarters—while disenchanting others who in the prior period had found some political or sentimental use for the Jewish state. But after 1967 Arab fortunes also began to change. Perhaps the first sign of new opportunity could be observed in France, which up to the mid-60's had been Israel's supporter and chief arms supplier. In the aftermath of the Algerian war, in which France appeared to be pitted against the Arab world, President Charles de Gaulle saw a chance of reestablishing his country's influence in a region where neither the Soviet Union nor the United States was wholly trusted. Adding urgency to the process was France's heavy dependency on Arab oil. The fastest and simplest way to appeal to the Arabs was to use a kind of political shorthand—that is, to turn against Israel.

Just how closely de Gaulle's overtures to the Arabs were linked to an altered image of the Jews is revealed in a thorough new study by Henry Weinberg, *The Myth of the Jew in France 1967-1982* (Mosaic Press): "To carry out the policy reorientation de Gaulle needed an opportunity to distance himself from Israel in a manner that could dramatically project him as an ally of the Arab cause, while protecting him from the reaction of pro-Israel public opinion." De Gaulle's notorious characterization of the Jews in November 1967 as an elite and domineering people, and his description of the Six-Day War as a pretext for Israel "to grab the objectives it wished to attain," became the cornerstone and the justification of his own realpolitik.

WHETHER or not the Arabs were inspired by the moral inversion of terms introduced by the French president, they adopted a strategy based on this inversion for the next phase of the anti-Israel campaign. If the president of a European nation, a hero of the war against fascism, was prepared to recast the Jews as villains, and even to dust off old racial stereotypes reminiscent of the Nazi era, then the moratorium on Jew-baiting, which had been in effect in civilized circles since the Holocaust, might well be over. Soon

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enough, Arab pronouncements changed from belligerent threats to moral censure.

Under the slogan, "Zionism Is Racism," the Arabs (with a little help from their Soviet friends) launched a propaganda assault the likes of which had not been seen in the world since the Goebbels campaign of the 1930's. Attributing their own politics to their enemy, they accused *Israel* of having deprived the *Arabs* of the right to a land and to a life of national dignity. This formula discredited not simply the state of Israel but Zionism itself—the claim of the Jewish people to a national homeland, now redefined as the denial of that right to others. The Jews were to be fought on the very ground where they had previously seemed invulnerable—the ground of morality, of human rights, of liberal sympathy.

Today, the long-term success of the Arab strategy must be apparent to anyone who reads the daily newspapers or turns on the television news. When an American Arab, returning to his "picturesque Arab village," is quoted by the New York *Times* as having told his friends with pride, "It's changing, we're being seen more as victims than as terrorists," both the pride and the claim to victimization testify to a changed image not just of the Palestinian Arabs but of Israel (a change which the *Times* has itself done much to promote). The attack on the moral standing of the Jewish state has accomplished in just over a decade what military warfare alone could never have achieved: it has made people, including some Jews both in the Diaspora and in Israel itself, question the worth of Israel, and thereby begin to rationalize the Arab aim of destroying it. By getting it established that Israel, and Israel alone, is responsible for the great historic crime that has been committed in the Middle East, the Arabs successfully cloak their own evil intentions and the danger thereby posed to their chosen victims.

THE obvious key to the success of Arab strategy is the presence, in the disputed territories of the Gaza Strip and the West Bank of the Jordan River, of Palestinian Arabs, people who breed and bleed and advertise their misery. Indeed, if we were to measure reality by the degree to which we are exposed to it, no people in the world today would appear of greater substance or in a graver predicament. Even before they took up stones and Molotov cocktails in demonstrations and riots, the Palestinians were proclaimed an oppressed and restless society. Now that their "rage" is so violently manifest, the Palestinians seem to be speaking with one voice against the very existence of Israel in the area of their habitation.

These Palestinian Arabs are part of a very large geographic and historical dispute, involving twenty-two Arab countries and stretching back thousands of years. Within this century the dispute has centered on the right of the Jews to a homeland in what the Arabs consider to be their exclusive region. In rejecting that right, both before and after it was granted by the United Nations, and confirmed in defensive wars, the Arabs have always *required* a refugee problem, for unless the Palestinians were visibly there to be "resettled" in their former homes, there would be no basis for protesting Israel's existence. For forty years now the Arabs have foisted this misery on their Palestinian "brothers" as the crucial element in the war against Israel.

Consider, then, what needs to be done if Israel rather than the Arabs is to be declared the violator of the rights of others and the villainous perpetrator of the region's refugee problem. What needs to be done is to erase all geographic and historical perspective. First, one must reduce the map of the Middle East, where Israel occupies two-tenths of 1 percent of the territory, to Israel alone; Israel will then figure as the dominating power. Next, and even more critically, one must reduce history to the present alone; Israel then will figure as the deliberate and hostile occupier of alien land. Preposterous in itself, the charge of Israeli criminality can be made to stick the minute the focus is narrowed and the clock is stopped. To prove their case before the international community, the Arabs have only to insist on the "here and now."

And this is indeed where they have scored their most brilliant success in the West today. Some measure of how the process works—and the extent to which it has made inroads among American Jewish intellectuals—can be found in an essay by Leon Wieseltier, the literary editor of the *New Republic*, in a special issue of that magazine (March 14) devoted to what is ominously described on the cover as "Israel's Moment of Truth."

With relish, unction, and rage, Wieseltier presents, as if it were his own, the Arab case against Israel. Since, however, he is obviously aware of how much more complex the situation is when seen as a whole, and especially when the historical processes that left Israel in control of the occupied territories are brought into play, he preemptively disposes of all such geographic and historical considerations until he has duly isolated the issues in space and time. Thus, for example, he writes: "Israel did not ask for the territories. This is true. It is also beside the point. Israel has the territories." Israel's claim that its present situation must be seen in "context" is inadmissible, because "the appeal to history may amount to an alibi for inaction."

What remains from such reasoning is a tautology, if with a moral twist: because it is the occupier, Israel is guilty of occupation. So, too, with the next argument of which Wieseltier disposes, namely, that "Israel has no alternatives; or, the alternatives are worse." Here, hypothetically admitting a point into evidence, Wieseltier shifts the terms to produce a smear. Israel pleads that it controls the territories because no real alternative

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(apart from the dissolution of the Jewish state) has ever been proposed by those from whom the territories were won. To this Wieseltier replies that necessity is no excuse: "You cannot hoard power and plead circumstances." In this manner possession of the territories, now divorced from circumstance altogether, is equated instead with imperial greed, with an Israeli will to power.

The Arabs have no scruples about accusing Israel of crimes for which they alone are responsible; and neither does Wieseltier: "Israel has treated the Palestinians better than the Arabs have treated them. Again, true; and again, beside the point." What good, indeed, is truth against the urgency of Palestinian misery, Palestinian despair, Palestinian hostility? For Wieseltier, these alone, and especially the last, are what determine Israel's guilt, and that guilt, which requires immediate expiation, is so much greater than any competing exigency that if the fate of the Jewish state hung in the balance it would be a small price to pay. "There is," he concludes, "cruelty on the Israeli side, and a little anguish. There is frenzy on the Palestinian side, and a little moderation. And time laughs."

This prosecution of the case against Israel from the point of view of the "frenzied" Palestinians is intended to impress upon Israelis—and on American Jews—that they have no choice but to capitulate unilaterally, or, in Wieseltier's phrase, to "give the Palestinians most of the keys [to the territories] as a gesture of good faith," although he admits that there is no one there to take them. Convinced of the collapse of Israel's moral purpose, Wieseltier is no longer perturbed by the risks the country may run by such a gesture. After all, the Israelis are the cruel ones, while the Palestinians are at least imbued with "a little moderation." Why not, then, turn over to *them* the keys of Jewish destiny?

I HAPPEN to agree with Wieseltier that imaginative identification with the enemy is the greatest task of the Jewish intellectual, but I would have thought that the purpose of the exercise is the better to resist hostility—not, as he does, to fuel it. When it comes to what the Arabs are up to, however, the outspoken Wieseltier goes coy: they have, he writes, changed their tactics from "violence" to "civilian resistance, which is morally and strategically more vexing." More vexing! One can see Messrs. Arafat and Abu Nidal curling their little fingers around their teacups as they foment such vexations. Here, from directives of the PLO, one of the six terrorist groups claiming credit for the "civil resistance" of recent months, are a few typical passages:

> January 30-31 [1988]: The Awakening has exposed the democratic Zionist lie and the face of the Nazi American administration, which is unable to explain the events. . . . Let us continue to use popular means as a daily weapon to be used by every inhabitant—every man and woman, every youth, every elder, every mosque, every imam, and every one of Palestine's sons.
>
> February 3: . . . [I]n the name of the sons of our people who have borne and bear the sacrifices with courage and with their heads held high, we stress our opposition to Mubarak's scheme, to the attempts of the Jordanian regime and its servants, and to the emissary of imperialism, Philip Habib, who are going forth against our legitimate leadership to dictate to it defeatist conditions, such as the acceptance of Resolution 242. . . . The basis of confrontation must be broadened. . . . Let the stones of the uprising and the Molotov cocktail bombs fall on the soldiers of occupation. . . .
>
> February 13: The National Leadership [of the PLO high command] welcomes the compliance of a number of appointed municipality members with the demand of the uprising masses to resign, and calls upon the remaining municipality members to follow in the footsteps of their colleagues and resign at once. The masses of the glorious uprising will know how to settle accounts with whoever deviates from the positions of national agreement. . . . Proclaim the uprising to be a war of attrition against the occupation in order to cause it fatalities and harm, politically, economically, and morally. . . .

The PLO has been insisting that the boys and girls it conscripts for its war against Israel must take the chance of martyring themselves by using stones rather than rifles in order to win the support of such as Leon Wieseltier, who could not otherwise be counted upon to voice Jewish remorse for Arab violence. The whole world knows (though it pretends otherwise) that the Israelis are not brutal occupiers—but for the politics of moral inversion to work they must be compelled to appear brutal and to use brutal methods. Thus are the Israelis deprived of every claim to sympathy, the Palestinians made to appear the victims they are not.

Wieseltier argues that the Jews of Israel have been corrupted by power; his own assimilation of the Arabs' view of their conflict with Israel suggests a different conclusion. Being hated corrupts, and being the target of absolute hatred corrupts absolutely. After forty years of hostility, and fifteen years of inspired psychological warfare, the Arabs are beginning to crack the moral backbone of the Jewish intellectuals.

NOT quite all the Jewish intellectuals, however. In the same issue of the *New Republic* another of that magazine's editors, Charles Krauthammer, stoutly resists the panic that has seized Wieseltier. Even though he is convinced that the occupied territories must ultimately be yielded to some Arab authority, Krauthammer argues that precisely because the pressure is now so great, it must be withstood.

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> There should be no political concessions to rioting. Whatever sympathy Israelis might have with the underlying grievance of the Palestinians, it is an elementary principle of self-preservation not to reward rioting. When rioting meets its echo, it intensifies. The Palestinians have been quite open about this. Look at what we have achieved, they say: U.S. condemnation of Israel in the UN; a new peace plan; a visit by Assistant Secretary of State Richard Murphy, then Secretary of State Shultz; doubts and criticism from American Jews; dissension in Israel. If this is what we can achieve in two months of rioting, why not six months of rioting? In six months, we will get back the West Bank. In a year all of Palestine.

The difference between Krauthammer and Wieseltier in their imaginative identification with the Arabs is that the one brings us the true report with its probable consequences while the other labors to bring us the false. Krauthammer, because he takes the full measure of Israel's antagonists, does not wonder whether Israel has lost its soul but whether American Jews have lost their nerve. "Those who demand that a solution be forced when the minimal conditions are absent are proposing to risk Jewish history to satisfy their impatience and relieve the anguish of the moment. It is a great risk to take, or, more accurately, to impose on others. . . ."

The situation in Israel is very bad, Krauthammer warns, but this does not mean that it could not become worse yet. Though he does not say so, one of the factors compounding the present danger is the mounting assault not on Israelis alone but on American Jews. Americans have been among the chief targets of the war against Zionism these past fifteen years. As Israel's most loyal friend, the United States must be neutralized if Israel is to be defeated, and American Jews are perceived by many (however wrongly) to be the key to American policy. Yet unlike the Israelis, who always face Arab aggression, and have no choice but to counter any new form of violence it takes, American Jews are untested by this latest form of Arab assault. How will they stand up? As the media, working always for their own purposes and convenience, exploit the democratic institutions of Israel to publicize the Arab campaign against the country, will American Jews find themselves discomfited by their association with the sullied "Zionist entity"?

Judging by the op-ed pages of leading newspapers, and the numerous ads signed by Jewish writers, academics, and intellectuals, the response so far is mixed. A little better, perhaps, than one had feared; much worse than one had dared to hope. Anyone comparing the February 1988 symposium of American Jewish intellectuals in COMMENTARY with its counterparts of the past would have to marvel at the vastly increased measure of Jewish confidence, and of appreciation for Israel, affirmed or confessed to by the great majority of contributors. At the same time, however, there have developed in intellectually sophisticated circles new strategies of dissociation from Israel's alleged crimes.

One tactic is to draw a distinction, between the "good" Israel and the "bad." For example, in the third of the three articles making up the special issue of the *New Republic*, the magazine's editor-in-chief Martin Peretz writes:

> Of course, Israel shares in the responsibility: those Israelis who reject the land-for-peace formula also reject peace. And those Israelis who have not energetically pursued every possible avenue for talks, even in the face of persistent Palestinian rejection, only guarantee that their country will remain in the morally compromised position of occupier. How much less debilitating Israel's position as occupier would be if only it were crystal clear that its government wished the occupation to be temporary—that it would be willing to transfer most of the territories to any Arab authority genuinely dedicated to coexistence with the Jews. The fissured government of national unity makes such a clear position impossible now.

Here Peretz is trying to differentiate the pure-and-good Israel, which presumably does not share any responsibility for Arab enmity, from the stained-and-foul Israel that makes it so much harder for an upright American Jew to defend the country wholeheartedly. Speaking in moral language about a political argument, he accepts not the whole of the Arab-inspired inversion, as does Wieseltier, but only half: the Arabs are right about the immorality of the Israelis who claim Judea and Samaria, but wrong about the Israelis who claim Tel Aviv and Haifa. Well, how about the Israelis who claim Jerusalem? Are they among the "morally compromised" or among the morally uncompromised?

WHAT Peretz is doing, of course, is lending his weight to the Labor party's side of the debate in Israel over the disposition of the territories. But not only is it questionable for an American Jew—speaking in the name of democracy, yet!—to deny the Israeli electorate the right to decide on the level and character of the risk it wishes to undertake in one of the most difficult political situations any nation has ever had to face, it may also turn out to be injurious to the side he supports. A party that tries to discredit its opponents by appealing to outsiders may find that it has lost the respect and confidence of the voters. *Because* Israel is divided on such critical issues, only those who manifest a faith in its ability and right to make independent choices may be granted the reciprocal confidence of the electorate.

But Peretz is at least a genuine and longstanding supporter of Israel. When other American Jewish intellectuals try to play internal Israeli politics, the results are more pernicious. A recent

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newspaper advertisement organized by Michael Walzer, Irving Howe, and a group associated with the magazine *Tikkun* declares, "Israel Must End the Occupation." The consequences of such a declaration by "American Jewish teachers, writers, and intellectuals," all protesting their "deep concern for the character, the security, and the future of the state of Israel," can only be to further the Arab campaign of distortion that presents Israel as the alien occupier of Arab soil and the main obstacle to regional peace. It must also help to erode Israel's already weak bargaining position in any possible negotiations by proposing to deprive it in advance of its most important negotiable asset. One thing is clear: had the signatories called for an end to Arab aggression against Israel, they would not have had to protest their "deep concern"; it would have been self-evident, to friend and foe alike.

To help them justify their rush to attack Israel in its hour of trial, some American Jews and their sympathizers in the media have concocted a scenario of brave "dissent" from the harmful conformity imposed on American Jewry by a blindly disciplined "establishment." According to one characteristic news report, the history of relations between Israel and American Jews goes like this:

> For the first three decades after the founding of the Jewish state, it was virtually taboo for American Jews to criticize Israel. From a distance of six thousand miles and more, they saw it as their place to applaud the tiny democracy and sustain it with their generous checks. Some, in private, were mildly critical of this or that policy. But it was considered disloyal and even dangerous for the Jews to air their dirty linen in public; the arguments might have encouraged Israel's enemies. Then, sometime in the past decade, the rules began to change—until, in the last few months, American Jews woke with a start to hear some of their most prominent leaders reproaching Israel in no uncertain terms. Today there can be no mistaking the shift: many American Jews now believe they help Israel most by airing the very doubts they so long suppressed.

THIS recitation not only distorts reality but turns it inside-out. In fact, there has always been freely-voiced hostility to Israel on the part of some American Jews and complete indifference on the part of others.

First there were the groups opposed to Israel in principle. Jewish Communists and fellow-travelers toed the Soviet party line which veered from anti-Zionism (until about 1946), to initial support of Israel when Stalin thought it might serve his interests in the Middle East, to condemnation in 1948 when Golda Meir's arrival in Moscow as Israel's first ambassador touched off a wave of Jewish national emotion, the effects of which are still being felt today. Only part of the Jewish Communist press ever developed an independent policy on Israel, and that only after the Six-Day War.

Then there was the Jewish Socialist Bund whose fundamental ideological opposition to a Jewish state hardly evaporated in the generation after 1948. Coming from a different ideological direction, there was also the American Council for Judaism, which took as its very *raison d'être* opposition to the existence of Israel.

Among religious factions, the Reform movement, which had been programmatically anti-Zionist until the 1930's, has shown great support for Israel since then, but a 1986 national study reveals that among the movement's membership only 17 percent feel a strong attachment, and only 25 percent have ever paid a visit. And let us not overlook the Jewish religious fundamentalists who rejoice in Israel's troubles as a sign from heaven that God would sooner His messiah saved the Jews than that they tried to save themselves.

Among the unorganized or unaffiliated, most American Jewish intellectuals—according to their own depositions in recent years—nervously tolerated Israel's existence, but for at least two decades after its establishment their ideological leftism remained a much stronger determinant of their attitudes than did identification with a national Jewish state (each of these three terms representing a departure from the ideal of an international socialist brotherhood). And finally, many ordinary Jews who were intermarrying, moving into non-Jewish society, and imperceptibly shedding their Jewishness, were eager to distance themselves from a country to which they felt no attachment, and for which they meant to assume no responsibility.

Even in the summer of 1967, at the very moment when Israel had briefly reached the peak of its popularity (not at all coincidentally, also the peak of its strength), precisely the same Jewish "doubts" were being aired, albeit on a reduced scale, that suffuse the atmosphere today. Thus, while Arthur Hertzberg, one of today's most vociferous "doubters," noted in the August 1967 COMMENTARY that Israel's victory had marked a "transforming moment" for American Jews, by the October issue Robert Alter was describing with concern the contrary reactions of some representative Jewish intellectuals: an old-time Marxist comparing Israel's preemptive air strike against Egypt with the Japanese attack on Pearl Harbor; a group of signatories to "A Call for Respect and Humanity in the Middle East Crisis," more than a third of them Jews, expressing their identification with the traditions and goals of the nations of the Third World; the voice of the then still influential I.F. Stone, "who makes the Israelis seem culpable and the Arabs merely victimized." In the November 1967 COMMENTARY, the future editor of the *New Republic*, Martin Peretz, still shaken by his recent experience at the National Conference for New Politics, summarized the New Left's virulently anti-Israel doctrine and scored those Jews in the "peace movement" (like Erich Fromm and David Riesman) who had opposed the orig-

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inal establishment of the state of Israel and remained horrified by the "upsurge of nationalist and even chauvinist sentiment that it had occasioned."

So much for the universal "applause" of the past three decades, the "virtual taboo" on "dissent," and all the rest of that farce.

As FOR public quarrels among Jewish leadership, one need only recall the mutual antagonism and recriminations between Nahum Goldmann, long-time president of the World Jewish Congress, and a succession of elected leaders of Israel to be reminded of just how limited was the adoration granted Israel by its supporters. Goldmann, setting a precedent that Arthur Hertzberg has breathlessly struggled to follow today, made a reputation for himself as one of the most ardent public critics of Israel, condemning its inflexibility, its lack of vision, its disrespect for Diaspora Jewry. Hertzberg has also imitated Goldmann in presuming to pursue an independent foreign policy for the state of Israel from abroad. No less than in the past, Diaspora leadership now can afford to say whatever it pleases, since unlike Israeli politicians it is accountable to no democratic constituency.

Why, then, if American Jewish support for Israel has always been partial and conflicted, do journalists invent a contrary story? For one thing, to be fair about it, in the last twenty years there has indeed been a much greater degree of internal consensus about Israel within the organized Jewish community (and even among the intellectuals) and correspondingly greater discipline when it has come to the support of Israel—this in itself reflecting the convictions of most ordinary American Jews and, in all likelihood, of most ordinary American voters. The sporadic breakdown of that discipline within the last few years (some of this, again to be fair, at the prompting of opposition Israeli figures seeking the aid of American Jews for their own domestic political advantage) thus represents a return to earlier modes, rather than a new departure—something that few journalists, with their notoriously short memories, seem to know.

But there is another and simpler reason behind the "dissent" phenomenon, which has to do with the unpleasant truth that a Jewish country under siege puts great pressure on other Jews to protect it, pressure that marginal Jews resent and that even some affiliated Jews regret when it interferes with their comfort and their pleasure. In a significant measure Jewish feelings about Israel take their bearings not from any actions the country may be involved in but from its perceived standing in American opinion, and especially in American liberal opinion.

What they do about those feelings, however, is of potentially great moment. The real issue is not the right of Jews to criticize Israel, which no one has the authority to deny, but the possible consequences of such criticism. One imagines Yasir Arafat would be only too glad to write a personal letter of congratulation not only to the "Jewish critic of Israel" he addressed in 1975, but to every Jew who similarly contributes his drop of condemnation or demurral to the sea of Arab invective. There is not a Jew in America who does not know and understand at some level of his consciousness the stakes of this conflict; the myth of dissent, a diversionary issue if ever there was one, serves to obscure this knowledge from consciousness.

ARAB aggression against Israel scored its first decisive strike when it discredited the right of the Jews to a national homeland within the walls of the very institution that had confirmed that right in 1947. United Nations Resolution 3379, declaring Zionism a form of racism, proclaimed the Jews to be a pariah people, as the Germans had done several decades earlier—this time, in full view of the world. The passage of that resolution affirmed not only the enduring strength of Arab hostility to the Jews, but the inability or unwillingness of the international community to counteract the Arab threat.

The Jewish targets of this moral assault were defeated the minute they agreed to make Israel's "occupation" of the territories won in 1967 the main subject of Arab-Israeli contention. For the Arab rejectionists, the West Bank of the Jordan and the Gaza Strip remain only tactical points in the war that is waged on Israel as a whole. When Jews abroad allowed themselves to be sucked into debating the merits of territorial occupation, instead of uniting to condemn the Arab rejectionism that had brought the occupation about, they suffered a defeat that has returned to haunt them today. Many Jews yielded to the temptation; rather than challenging the Arabs to accept regional pluralism, they tacitly agreed to take the argument "inside," to internalize it. They not only failed to concentrate on exposing the genocidal thrust of Arab strategy, they consented to making themselves the object of moral scrutiny.

About six years ago I asked a prominent Jewish professor why he did not deploy his considerable authority to oppose the UN resolution, or even to oppose the propaganda use to which it was being put on his own campus. He replied, "Because no one pays any attention to the United Nations."

If this professor were to grant the UN's power to disseminate information worldwide, to formulate opinion in Third World countries, to influence nations that can court the Arabs by simply scuttling their commitment to Israel—if he were, that is, to acknowledge the full weight of the attack on Israel—he might feel called upon to devote some of his intellectual energy to engaging the enemies of the Jews. Far more convenient for him, and for thousands of Jewish professors like

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him, is to play the old Jewish game of "*pupik* politics," of examining their own navels, or rather the navels of their fellow Jews, for dirt. I was not surprised, therefore, when, during the first days of Arab rioting, I read this same professor's public protestations of moral outrage against Israel, or heard from mutual friends that he had declared himself fed up with the Jewish people.

But in truth the moral problem of the Jews today is very different from the one of which they stand accused and of which so many are accusing themselves. Twice in one century Jews have been singled out as targets of annihilation. The first time they could do nothing to prevent it. This time they can.

In all the forty years that Israel has tried to convince the Arabs of its ability to stand firm, American Jews have been asked for little. The vast sums of money, the political support, the demonstrations of affection, however impressive when compared with the generosity of ethnic and religious minorities that are not so besieged, are as nothing in the case of a people targeted for destruction. Now in the hour of crisis, it remains to be seen whether American Jews will meet or fail the moral test with which they are faced.

What might they do? Instead of wallowing in their "anguish" over Israel's "soul," and instead of spending all their time performing a perverse and altogether misplaced penance, American Jews, and particularly the intellectuals among them, might summon up both the courage to recognize the true nature of Arab opposition, and the correlative courage to go on the political offensive.

They might insist at long last on the unconditional recognition of Israel by every state in the Arab world. They might insist on direct negotiations, which alone can define Israel's relations with its closest neighbors. They might insist on the immediate repeal of UN Resolution 3379, which delegitimates a member state and makes a mockery of international justice. And they might insist on the emergence of a Palestinian Arab leadership that accepts Israel's sovereign presence in the Middle East even as it presents its own demands for territorial compromise.

It is not, in short, the self-proclaimed fear for Israel's "soul" being expressed by so many Jewish intellectuals but the uncertainty as to whether the Jews in general *will* withstand the war on Zionism that should constitute the real source of Jewish anguish and pain today.

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What We Know About the Homeless

Thomas J. Main

In April 1986, Joyce Brown, a former New Jersey secretary (who also calls herself Billie Boggs), had a fight with her sisters with whom she was then living—and hopped on a bus to New York City. Something happened, and she ended up living near the hot-air vent of Swensen's restaurant at Second Avenue and 65th Street. She stayed there for a year, during which time her hair became tangled and matted; she insulted passers-by (especially black men, at whom she hurled racial epithets, although she herself is black), she burned the money she was given by sympathetic observers, and she relieved herself on the streets.

Eventually she came to the attention of Project Help, a mobile psychiatric unit that monitors mentally-ill homeless people in lower Manhattan. Until recently, Project Help would not involuntarily transport a "street person" to a hospital unless he was an immediate danger to himself or others, and it interpreted that criterion strictly. When the Koch administration decided to apply a less strict interpretation—on the ground that living on the street is dangerous for the mentally ill even if not immediately so—Joyce Brown became the first person removed from the streets to Bellevue Hospital for psychiatric evaluation. She was diagnosed as a chronic schizophrenic, and the city held her in the hospital for twelve weeks, during which time her doctors attempted to obtain permission to have her medicated. But with the aid of Robert Levey, a lawyer from the New York Civil Liberties Union (NYCLU), Miss Brown not only avoided medication but successfully litigated for her release.

At this point, under the guidance of Levey and NYCLU president Norman Siegel, Miss Brown declared that she had been "appointed the homeless spokesperson." After shopping trips to Saks Fifth Avenue, Lord & Taylor, and Bloomingdale's, and dinner at Windows on the World, Miss Brown and her lawyers hit the lecture circuit. She spoke at New York University Law School and at the Cardozo Law School, she was interviewed on *60 Minutes* and *Donahue*, and she received half-a-dozen book and film proposals. Then, on February 18, 1988, Miss Brown, Levey, and Siegel all participated in the Harvard Law School Forum on "The Homeless Crisis: A Street View."

Levey (describing himself as a kind of "warm-up act . . at a rock concert") spoke first. He wanted, he said, only to raise some questions, of which the key one was why our society had decided to make Joyce Brown into a celebrity. Was it because we wanted to sweep the problem under the rug by focusing on the fate of a single individual who had successfully challenged the city and gotten off the streets? This seemed an odd question and a still odder answer since it was precisely Levey and his colleagues at the NYCLU who had made Joyce Brown a celebrity; and the last thing in the world they had in mind was to sweep the problem of homelessness under the rug.

At length, Miss Brown herself spoke. Her speech was slurred, and she dropped a few lines from her prepared statement, but she certainly gave a creditable performance. The first part of her talk sounded very much as if it had been stitched together out of slogans made familiar by advocates for the homeless: homelessness is caused by policies that help the rich and not the poor; it will be solved only by building low-income public housing; etc. Of her stay in the hospital she said, "I was a political prisoner."

Much more interesting was what Miss Brown called "my street view" of homeless life. She said nothing about her history either of heroin and cocaine abuse or of mental illness. According to her, she had had only two problems in being homeless. The first was police harassment. She claimed that at some point she had been beaten with night sticks and kicked by several police officers. Project Help also had degraded and humiliated her and had denied her what she called "my right to live on the street." Never, she said, had Project Help been of any use, except to offer her a sandwich.

Her second problem was that, obviously, she had been unable to find an apartment, which was why she had ended up on the streets. With no place of her own and since there are no public toilets, she had to use the streets as a bathroom. She did not explain why she did not return to live with her sisters in New Jersey, who had been looking for her during the year she was living on the streets. Moreover, if she had been eager all along to come indoors, what was the point of fighting tooth and nail for the right to live on the streets?

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Joyce Brown's claim that she had been beaten by the police also presented difficulties. She provided no details of the event. When she was asked during the question period if she intended to press charges against the police for their abuse, her response was, "Everyone knows New York City cops are killers."

Another difficulty was her complaint of being degraded by Project Help. It is true that for most of the time she was on the streets, outreach workers only offered her sandwiches. The reason for this was that Miss Brown spurned all other help. Project Help workers kept regular tabs on her, they coaxed her to accept further services, such as transportation to washroom facilities and a women's shelter. Miss Brown refused every time.

In other words, until the city decided to bring her inside against her will, Project Help was following exactly the policy that her lawyers told the Harvard audience ought to be followed in these cases: the city kept an eye on her, offered whatever services she would accept, and tried to win her confidence. It was only after months of such attempts that this approach was abandoned.

Joyce Brown ended her talk, received applause, and sat down. Norman Siegel then rose to speak. He too claimed that homelessness was essentially a housing problem, or rather that it was an issue of economic justice and equality and in no sense a mental-health issue, still less a matter of public order or law enforcement. The main cause of homelessness was the construction of high-rise developments for the rich and the destruction of the single-room-occupancy hotels (SROs) that many poor people once lived in. Allowing landlords to warehouse apartments, failing to require developers to build low-income housing, and the unwillingness of the city to redevelop the abandoned apartments it had seized—these were the real problems.

As Siegel saw it, the only way to deal with these problems was by radical political action. Just as law students from Harvard had gone to the South during the 1960's to organize and register blacks as part of a progressive political movement, so in the late 1980's lawyers should go to the bus terminals and park benches of America's cities and organize for economic justice. Homeless people needed "guerrilla legal tactics" in order to win, though "non-legal solutions," pressed forward "in a harassing way," were also important.

Whatever else one may say of the approach that Siegel and Levey put forward at the Harvard Law School Forum, it is very close to the position taken by most advocates and researchers on the homeless. Writers like Jonathan Kozol in his new book, *Rachel and Her Children: Homeless Families in America*;* activists like Mitch Snyder of Communities for Creative Non-Violence (CCNV) and Robert Hayes of Coalition for the Homeless; and research centers like New York's Community Service Society all agree with Joyce Brown's lawyers in their general analysis of the problem.

The thrust of this analysis is as follows:

1. Homelessness is a huge problem and it is getting worse. The size of the homeless population is at least two to three million (a figure originally advanced by CCNV in 1982), perhaps as large as four million, and growing.

2. Homelessness is simply or primarily a housing issue. As Kozol puts it, "The cause of homelessness is lack of housing" due to federal cutbacks and urban redevelopment.

3. Mental illness and other disabilities, such as alcoholism, while frequent among the homeless, have been greatly exaggerated. About one-third of the homeless are members of homeless families, who are neither mentally ill nor otherwise disabled.

4. Radical tactics and objectives are necessary if the problem is ever to be solved. Homelessness is a systemic problem, caused by the structure of the economy and society in general. As such it cannot be effectively addressed either by the charity of the welfare state or by benefits conferred at the whim of legislatures. What is needed is the enactment of a constitutional "right to shelter" that would be enforceable through the courts.

Let us take up these claims one by one, especially as they relate to the Joyce Brown case.

First, as to the size of the homeless population. The CCNV estimate of two to three million as of 1982 was based on an unsystematic telephone survey of shelter providers and advocates. It was never clear just how CCNV went from these local to its national estimates, or even exactly how CCNV defined homelessness.

To try to get things straight, the Department of Housing and Urban Development (HUD) conducted its own survey, released in 1984, which concluded that, as of 1983, there were about 250,000 to 350,000 homeless people in America.

The HUD report was widely attacked. Mitch Snyder of CCNV declared that the officials who had inspired it reminded him "of nothing so much as a school of piranha, circling, waiting to tear the last ounce of flesh." Various methodological critiques were also brought against the report, but their validity remained uncertain in the absence of an independent cross-check on its methods.

Such an independent cross-check was finally completed in 1986 by Richard B. Freeman and Brian Hall of Harvard University in their Report of the National Bureau of Economic Research, "Permanent Homelessness in America?" The bottom line of the Freeman-Hall study was that "the much-maligned" HUD figure of 250,000-350,000 was "roughly correct." Freeman and Hall's exact estimate for 1983 was 279,000 (and Freeman estimates that as of 1988 the number has jumped to about 400,000). Further, the key data on which they based their numbers were confirmed by surveys of homeless people done by other researchers using several different methods in Boston, Chi-

* Crown, 261 pp., $16.95.

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cago, Nashville, Washington, D.C., Phoenix, Pittsburgh, and Los Angeles. I myself have also confirmed these findings in a survey of homeless people in San Diego.

To cite only the example of Chicago: CCNV had reported one estimate of 250,000; later, Coalition for the Homeless cut this by a factor of ten, to 25,000. Neither of these estimates was based on systematic scientific research, nor was either organization willing to say exactly how they were arrived at. Then after two surveys of his own, Peter Rossi of the University of Massachusetts released his conclusions: in the winter of 1986 there were about 2,020 homeless people in Chicago (give or take about 275).

These studies, all independent of one another, using various methodologies, and all arriving at approximately the same conclusions, reinforce one basic point: the estimate circulated by advocacy groups of between two and three (and even up to four) million homeless people is about ten times too high.

When confronted with this evidence, Jonathan Kozol and the others frequently argue (although without ever withdrawing their own claims) that, in Kozol's words, "Whether the number is one million or four million or the administration's estimate of less than a million, there are too many homeless people in America." Or as Chester Hartman, a housing analyst at the Institute for Policy Studies, testified before Congress during its hearings on the HUD report, ". . . the real issue is that in a society with the wealth of the United States, there should not be a single involuntary homeless person."

Now, it is undoubtedly true that homelessness is a tragedy no matter how few or how many people it touches, and it is also true that 400,000 is a large number. But such statements as Kozol's and Hartman's will not do. It is as though someone were to claim that the unemployment rate is 60 percent and then, upon being informed that the real rate is closer to 6 percent, were to respond: "No matter whether the rate is 60 percent or 6 percent, too many people are unemployed. The real issue is that in a society this wealthy not a single person should be involuntarily unemployed."

One final point on the size of the homeless population. Surveys done in Nashville and Boston, and shelter counts in New York, suggest that the growth of the homeless population has leveled off. One should therefore be very skeptical about recent claims by the National Coalition for the Homeless and the U.S. Conference of Mayors that the number of people on the streets has grown by 25 percent over the last year. Homelessness undoubtedly did increase throughout the early 1980's, but it may by now have reached its peak.

WHAT about the cause of homelessness? Is it, as Kozol says, lack of housing? Before we can evaluate this claim, we have to reacquaint ourselves with a few basic facts.

First, it is indeed true that New York (to take a city with an especially large homeless population, and which is the subject of Kozol's recent book) faces serious housing problems. Between 1981 and 1984 the number of apartments renting for under $200 a month dropped from 437,000 to 256,000. As single-room-occupancy hotels have been torn down for development, thousands of dwelling units for the poor have vanished.

Yet the fact is that, as in most other cities, the housing stock in New York is so large (about 1.8 million rental units), and the number of homeless families is so "small" (about 5,000 at any given point and about 12,000 in the course of a year) relative to that stock, that a simple "lack" of housing cannot be the trouble. The real trouble is that the current housing market is prevented from making a rational allocation of such housing as exists. For the housing market could easily meet the demand that a few thousand homeless families impose on it if it were allowed to, and it could do so in a manner consistent with current standards of decency and fairness.

Again, the Freeman and Hall study throws light on the subject. They report that for the U.S. as a whole there was no dramatic decline in the number of "affordable" units (i.e., those renting for under $200 in real terms) during the recent increase in homelessness between 1979 and 1983. In central cities, as the case of New York shows, the number of such units did decline during this period (by about 5.4 percent according to Freeman and Hall), but this decline is in itself too small to have caused homelessness. Nor is it correct that the number of public-housing units declined during this same period. In fact, public housing units actually increased from 1,178,000 in 1979 to 1,250,000 in 1983.

What did happen, however, was a sharp rise in the number of people looking for such units. Between 1979 and 1983 the number of poor unattached individuals increased by about 21 percent and the number of poor families by 45 percent.

Yet this increase need not, in itself, have led to homelessness. In an open market, landlords and perhaps some developers would have responded to the new demand by providing more cheap housing. Through some combination of dividing up old units, renovating abandoned buildings, renting out space formerly used as garages and basements and the like, these newly-poor renters could have had their demand met. Admittedly such accommodations would have been of inferior quality, but they would have prevented homelessness.

This demand was never met because housing regulations in New York (and some other cities) made it difficult for the market to adjust. For example, New York offered a bonus of $6,000 to landlords who would put up homeless families. There were few takers, even when the bonus was raised to $9,700. One reason seems to be that participating landlords would have had to spend more than the bonus to bring their buildings up to the required standard.

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That homelessness is not due to a lack of housing is also shown by the fact that most homeless families in New York *do* manage to find a place to stay fairly soon after they enter the shelter system. Half leave the system within two to five months, and two-thirds leave within a year. Writers like Kozol who think that most families in welfare hotels are in effect permanently homeless are focusing on the long-term stayers and missing the majority who do leave after several months. In other words, homeless families simply need more assistance in finding housing more quickly in the stock that already exists.

SINCE advocates for the homeless claim that homelessness is entirely or primarily caused by a housing shortage, they typically deemphasize the role that disabilities like mental illness, alcoholism, and drug abuse play in the plight of the homeless. This is the theme sounded by Peter Marcuse, a professor of urban affairs at Columbia University. Marcuse cautions against "blaming the victim," a tendency which (according to him) holds that "The homeless are not like you and me. There is something wrong with them or they wouldn't be homeless." We should, as Louisa Stark, president of Coalition for the Homeless puts it, "Blame the System, Not Its Victims."

To get a sense of how valid such claims are, we have to distinguish for the moment between homeless individuals and homeless families. This approach is controversial. Indeed, one reason that disability among the homeless is sometimes thought to be less of a factor than is popularly supposed is that many of the homeless are members of homeless families. Since these families—especially the children—have much lower rates of mental illness and other disabilities than homeless individuals do, amalgamating the two groups brings the disability rate down. At the same time, however, it conceals the true dimension of disability among homeless individuals. The best way to proceed, therefore, is first to consider individuals and families separately and then to reaggregate them for the total picture.

In some journalistic accounts of homelessness during the mid- to late-1970's, all homeless individuals were assumed to be mentally ill. It was thought that most such mentally-ill homeless individuals had once been patients in mental hospitals before they were "deinstitutionalized."

It is clear, however, that deinstitutionalization —if by this is meant the policy of reducing the number of patients in mental hospitals with an eye to having them cared for by community mental-health centers—cannot explain the plight of *today's* homeless, because this policy was implemented mostly during the 1960's. Very few homeless people today came to the streets or shelters *directly* from mental hospitals. (In the Freeman and Hall study the number of such people was only 1 percent of the sample.)

On the other hand, while few of the homeless are direct victims of deinstitutionalization, we learn from Freeman and Hall that more than 90,000 of the people on the streets today would have been in mental hospitals in the days before the policy of deinstitutionalization came into being. Almost all surveys indicate that between a quarter and a third of the homeless are indeed mentally ill. For example, the Freeman and Hall study found 33 percent of its sample to be mentally ill. Rossi, in a survey of eighteen studies of homeless individuals, found that the average rate of chronic mental illness was 36.5 percent.

According to some writers, these findings demonstrate that the perception of the homeless as being mentally ill is merely a stereotype. Thus Louisa Stark tells us that "Although only one-third of homeless people nationwide are mentally disabled, since the early 1980's homelessness has become synonymous in the public mind with mental illness. What we have done, then, is taken one stigmatized illness, alcoholism, and replaced it with another, mental illness, as a stereotype for the homeless." Peter Marcuse presents the other side of this observation when he remarks that "most of the mentally ill are not homeless. More mentally ill are housed than homeless."

But neither of these superficially correct observations can break the link between mental illness and homelessness. For a rate of mental illness of 33 percent is very high. In the general population, according to Freeman and Hall, the rate is less than 2 percent, and it is not much more than that even among the dependent poor: Rossi has found that among individuals receiving General Relief in Chicago the rate of previous hospitalization for mental illness is between 3 and 4 percent.

Further, to say that the majority of the mentally ill are housed and that therefore mental illness is not a key factor in the current homeless problem is like saying that during the 1930's the majority of Americans were employed and that therefore the Depression had nothing to do with unemployment.

YET those researchers who stress that the majority of the homeless are not mentally ill are making an important point. Just as it is misleading to assume that homelessness is *simply* a housing problem (although it is partly that), so too is it misleading to assume that homelessness is *entirely* a problem of mental illness (although it is partly that, too). There are several other groups among homeless individuals with different problems of their own.

The most obvious are alcoholics and hard-drug abusers. Freeman and Hall report that 29 percent of their sample suffered from alcohol abuse (the rate for the general population is 13 percent), and they found a rate of hard-drug abuse of 14 percent (the rate for the general population is less than 1 percent). My own guess is that something like a fifth to a third of homeless individuals suffer from some combination of these disabilities.

Mental illness, alcoholism, and drug abuse are

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all regarded as quasi-medical problems. But of course straightforward medical or physical problems can be disabling, too. Indeed, such disabilities turn out to be characteristic of significant percentages of homeless individuals. For example, 36 percent of Rossi's Chicago sample reported "fair" or "poor" health (a level of self-reported ill health roughly twice that of the general population); 28 percent reported a hospital stay of more than twenty-four hours in the last year; and 28 percent were unable to work for health reasons. Also, a survey of over 8,000 clients in New York City's shelters for individuals (conducted in 1984 by Stephen Crystal and Mervyn Goldstein, then of New York City's Human Resources Administration) found almost two-fifths had a current medical problem.

It is difficult to extrapolate from these numbers to a hard estimate of physical disability among the homeless. But a safe guess is that about 25 to 30 percent of homeless individuals suffer from such problems.

In addition to such strictly or quasi-medical difficulties, there are problems of a qualitatively different type that can be contributing factors to a spell of homelessness. Thus 41 percent of Rossi's sample had been in jail for periods of longer than forty-eight hours, 28 percent had at some point been convicted by a court and given probation, and 17 percent had felony convictions behind them. And Freeman and Hall found 39 percent of their sample had at some point been in jail.

One objection to regarding a criminal record as a disability characteristic of a subpopulation of the homeless is that such a history might be considered a result rather than a precipitating or contributing cause of homelessness. My experience in San Diego suggests that many homeless people are frequently convicted of misdemeanors like jay-walking or littering as a form of harassment by police. Yet Freeman and Hall found that 61 percent of the time spent in jail by their sample was before the subjects became homeless. This indicates that being convicted of a crime can indeed be a contributing cause of homelessness. Moreover, it is unlikely that minor police harassment can account for a felony conviction rate of 17 percent.

What, then, is the overall picture of disability among homeless individuals? First, these data—dramatic as they are—do not support the idea that homelessness is some "special" problem quite unlike any other social problem. The disabilities involved are not unique to the homeless; they are found among the extremely poor and the underclass in general. In this sense, those who caution against "stereotyping" the homeless have a point.

However, a point which these data highlight with at least equal force is that homeless individuals are much more disabled than the general population or even than the poor in general. Somewhere between 70 and 80 percent of homeless individuals suffer from one or more major disability. Thus Rossi found that 82 percent of his survey had *at least one* of the following disabilities: poor or fair health; previous mental hospitalization; previous stay in a detoxification unit; clinically high scores on psychological tests for depression or psychotic thinking; sentence(s) by a court.

Similarly, the Crystal and Goldstein study of New York's shelters for singles found that 74.9 percent of the men and 70.4 percent of the women suffered from *at least one* of the following disabilities: hard-drug abuse; alcoholism; jail record less than an 8th-grade education; never employed; physical/medical problems; psychiatric problems; over sixty-five years old.

The homeless, then, are *not* "just like you and me" and most of them *do* have "something wrong with them" which contributes to their being homeless. (We should also keep in mind, however, the approximately 20 to 30 percent of the homeless who are relatively able and who have been described in other studies by Crystal as "economic-only" clients.)

WHEN advocates for the homeless are confronted with figures like the above, they often choose to shift attention away from homeless individuals to homeless families. For example, a recent publication of the National Coalition for the Homeless argues:

> . . . not only is homelessness increasing in numbers, it is also broadening in reach. The old stereotype of the single, male alcoholic—the so-called "skid-row derelict"—no longer applies. Increasingly, the ranks of the homeless poor are comprised of families, children, ethnic and racial minorities, the elderly, and the disabled. The face of America's homeless now mirrors the face of America's poor: skid row has become more democratic. Perhaps the starkest indication of this diversity is the fact that, today, the fastest growing segment of the homeless population consists of families with children. In some areas, families with children comprise the majority of the homeless . . . families with children now account for about 30 percent of the homeless population.

Kozol and other advocates also claim that the rate of disabilities like drug abuse and mental illness among such families is very low. Although "Many homeless *individuals* may have been residents of such [mental] institutions," writes Kozol, "in cities like New York, . . . where nearly half the homeless are small children, with an average age of six, such suppositions [of former mental hospitalization] obviously make little sense."

There are two questions here: (1) Just how many homeless family members are there and what percentage of the total homeless population do they represent? (2) What are the rates of disability among homeless family members?

As to the question of numbers, the Freeman and Hall study again provides the best source. They estimate that in 1983 there were 32,000

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homeless family members, and that in 1985 there were 46,000 such people.

Right away, we can see from the Freeman-Hall data that Kozol is exaggerating wildly when he tells us that 500,000 children are currently homeless. Since only 46,000 members of families were homeless in 1985 (this includes *both* adults and children), homeless families would have had to grow by more than ten times in three years for Kozol's figure even to approach reality—not to mention that there are in fact no more than a *total* of 400,000 homeless people in 1988. The truth is that the widely circulated estimate that families with children represent 30 percent of the total homeless population is more than twice too high.

So far as the question of disability goes, we know roughly what the rates are among homeless individuals, but at this point we do not know enough to conclude either that homeless families suffer from no more disabilities than do other poor families, or that in fact they do have special problems which contribute to their being homeless. Such studies as we do have suggest that the rate of disabilities among such families may be significant. But until better information is available on this subject, we have to regard the confident pronouncements of advocates that homeless families are simply victims of a tight housing market as being largely conjectural.

WHAT are we to make of the advocates' interpretation of the politics of homelessness? It is important to understand that they see homelessness not as an aberration or a failing but as a natural outcome of the ordinary workings of social policy and the economy in general. As Mitch Snyder of CCNV writes (in collaboration with Mary Ellen Hombs):

> We live in a disposable society, a throwaway culture. The homeless are our human refuse, remnants of a culture that assigns a pathologically high value to independence and productivity. America is a land where you *are* what you consume and produce. The homeless are simply surplus souls in a system firmly rooted in competition and self-interest, in which only the "strongest" (i.e., those who fit most snugly within the confines of a purely arbitrary norm) will survive.

Similar sentiments are expressed by Robert Hayes of Coalition for the Homeless ("the homeless are indeed the most egregious symbol of a cruel economy, an unresponsive government, a festering value system") and by Peter Marcuse of Columbia ("homelessness in the midst of plenty may shock people into the realization that homelessness exists not because the system is failing to work as it should, but because the system *is* working as it must").

Yet it ought to be obvious that homelessness cannot be the result of "a festering value system," or "free-market capitalism," or "a system firmly rooted in competition and self-interest," or any other long-term systemic feature of American society, for the simple reason that all these have remained more or less what they always have been, and so cannot explain the rise of homelessness *now*.

Advocates seem to recognize this at some level, since, after having made sweeping pronouncements against American society in general, they usually concentrate their fire on the Reagan administration's social and economic policies. But while poverty did increase during the Reagan years, the Reagan administration can hardly be blamed either for deinstitutionalization or for the housing policies—such as rent control and byzantine regulations—which in cities like New York have undoubtedly exacerbated the situation.

TO SUM UP: homelessness is a much *smaller* problem, in terms of the number of people affected by it, than is commonly thought, but it is also much more *intractable* than advocates understand. This intractability stems from the fact that the great majority of homeless individuals, and possibly some significant proportion of homeless families, are afflicted with behavioral or medical disabilities or both. Dealing with such problems requires a willingness to assert *authority*—for example, in refusing to allow people like Joyce Brown to live on the streets—as much as it requires an expenditure of resources. Nonetheless, an important part of the problem is economic, and can best be addressed not by building more public housing but by raising the income of the extremely poor and by removing regulations which block the allocation of housing to them.

In short, a reformist agenda—one aimed at enabling our mental-health system to treat people who need treatment, at reducing extreme poverty through income supports, and at allowing housing markets to function—can go a long way toward the elimination of homelessness.

This agenda is a far cry from the radical systemic measures such as a constitutional "right to shelter," or the "guerrilla legal tactics" and the "harassing" techniques recommended by Joyce Brown's lawyers and other activists in the field. But it has the virtue of being based on a truthful diagnosis rather than on wild and tendentious analyses which, by simultaneously exaggerating the dimensions of the problem and underplaying its difficulties, make it harder rather than easier to help the homeless at all. In taking up the case of Joyce Brown, and in securing her release, the NYCLU lawyers may have furthered the "delegitimation" (as Peter Marcuse calls it) of a social system they consider evil. But as for Joyce Brown herself, only a short time after her appearance at Harvard, she was found begging on the streets and hurling abuse at passers-by who refused to give her money.

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The Rise of American Decline

Owen Harries

OVER the last twenty years, American intellectuals have accused the United States of being imperialistic, arrogant, bellicose, exploitative, brutal, and worse. Now they have added another charge to the list: it is in irreversible decline. Not only is Ronald Reagan a lame-duck President, but the United States is a lame-duck country.

The essential argument is by now familiar: sustainable political and military power depends on economic wealth and technology; for a few decades after World War II, America enjoyed economic supremacy and was able to dominate the world; now that lead has declined sharply and will continue to do so; consequently the United States is overstretched and its political and military power must also decline.

While the assertion of decline usually takes the form of either an accusatory charge or a lament, an underlying note of satisfaction and anticipation is often evident. This is not surprising. For those who have spent much of their lives railing against America's "arrogance of power," a diminution of power is a condition for the diminution of "arrogance."

The decline thesis also has an operational purpose. It is meant to strengthen the case for curtailing the United States' geopolitical commitments and military strength, to add the authority of inevitability to what has long been urged on ideological and moralistic grounds. The policy prescription attached to the analysis is not that the country should strive to arrest and reverse the decline, but that it should *adjust* to it.

The main recent inspiration of the decline thesis, and its principal intellectual resource bank, is Paul Kennedy's *The Rise and Fall of the Great Powers.** At the beginning of 1988, the *New Republic*, a practiced and astute spotter (and promoter) of cultural trends, predicted that this book would represent the flavor of the year. On its face it was a bold prediction. A historical study of nearly 700 pages, with 83 pages of notes,† a 38-page bibliography, and dozens of tables and charts does not often enjoy a vogue. But the instincts of the *New Republic*'s editors were sound, and the book has quickly become inescapable. In best-seller lists, op-ed pages, seminars, talk shows, little magazines, and dinner-table conversations it is evident that the decline of America is an idea whose time has come. The October 1987 stock-market plunge shortly before the book appeared only seemed to underline its truth and relevance.

The Rise and Fall of the Great Powers is an unusual amalgam of history, commentary on the contemporary international scene, analogy, prediction, and theoretical generalization. The straight history, providing a survey of Great Power politics over the last five centuries with particular emphasis on economic and technological matters, occupies the bulk of the book. As might be expected, given the author's standing as a historian, it is very well done. Kennedy is firmly in control of an astonishing mass of material, has narrative skill, and an excellent eye for the telling fact. (Did you know that in the 18th century, supposedly an age of restrained and ritualistic warfare, Prussia lost half-a-million lives in the Seven Years' War, out of a population of six million? That in 1914 the Austro-Hungarian empire had to give the mobilization order in fifteen different languages? Or that as a result of World War I the number of separate currencies in Europe increased from fourteen to twenty-seven?)

But the history is not what has made *The Rise and Fall* a best-seller. Whatever Kennedy intended, the appeal of the book derives from his generalizations about the relation between power and wealth and his application of those generalizations to America. Unfortunately for him and those who look to him for guidance, in this respect the book is much less successful. In fact it is something of a mess.

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† As even a cursory glance reveals, however, not all of them are accurate. Thus the article "Living With a Sick Bear," from the *National Interest*, cited on page 619, was written by H.S. Rowen, not Rosen. Also, the author of *Britain's Industrial Renaissance* is Sir Alan Walters, not Waters.

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IT BECOMES apparent as early as the introduction that Kennedy is not sure exactly what it is he wants to maintain. In the first paragraph, the theme of the book is described as "the *interaction* between economics and strategy" (the author's emphasis here and elsewhere). A few pages later, however, he writes about "the process of rise and fall among the Great Powers—of differentials in growth rates and technological change, leading to shifts in the global economic balances, which in turn gradually impinge upon the political and military balances. . . ." Now these are two very different statements. The first speaks of interaction, implying not the primacy of any one force but a complex, pluralistic state of affairs in which causation is multi-directional; the second is monistic, asserting a one-directional chain of cause and effect, in which economic and technical factors are primary. The two positions are irreconcilable.

Kennedy is clearly aware that there is some sort of a problem here, but as he wants to hold on to both positions, his repeated efforts to confront the problem necessarily fail. Though he himself is not a Marxist, his dilemma is precisely the one that Marxists have faced over the years in trying to articulate the theory of an economic "foundation" and a political-cultural-ideological "superstructure," and anyone familiar with their efforts will find a very similar pattern here: a shifting of weight from one leg to the other, a giving followed by a taking back, the evoking of the "long run" or "the last instance" as an escape clause, qualifications followed by qualifications of the qualifications.

Here, for example, is Engels:

> According to the materialist conception of history, the production and reproduction of real life constitutes *in the last instance* the determining factor of history. Neither Marx nor I ever maintained more. Now when someone comes along and distorts this to mean that the economic factor is the *sole* determining factor, he is converting the former proposition into a meaningless, abstract, and absurd phrase. . . . We ourselves make our own history, but, first of all, under very definite presuppositions and conditions. Among these are the economic which are finally decisive. But there are also the political, etc. Yes, even the ghostly traditions which haunt the minds of men play a role albeit not a decisive one.

Compare that with Kennedy:

> . . . a dynamic for change, driven chiefly by economic and technological developments, which then impact upon social structures, political systems, military power, and the position of individual states and empires. . . . [E]conomic prosperity does not *always and immediately* translate into military effectiveness, for that depends upon many other factors, from geography and national morale to generalship and tactical competence. Nevertheless, the fact remains that all the major shifts in the world's *military-power* balances have followed alterations in the *productive* balances. . . .

Both writers are responding to the same problem: the hard, more deterministic, one-directional version is required by the thesis but is unsustainable (for who can demonstrate convincingly that everything is reducible to economics?), while the softer, pluralistic version is true but inadequate and banal (for who can dispute that among all the factors at work the economic is extremely important?). The concern to be arresting and interesting draws in one direction; the concern to be true to the evidence, to recognize the autonomy of non-economic forces, in the other. If Kennedy had taken seriously what he says repeatedly about the importance of geography, morale, leadership, political systems, and the rest, he would have had to write a different account of decline, one that explored and assessed the varying weight of those forces in different circumstances, and examined carefully the limitations as well as the importance of the economic factor, as one among many. But that would have been a much more complex and dense study, more in accordance with reality but lacking the dramatic impact and the ideological appeal of what he has in fact written.

This unresolved conflict is the central weakness of *The Rise and Fall of the Great Powers*. But there are others.

There is, for example, his treatment of the notion of a "balance" between a nation's defense requirements and commitments, on the one hand, and the means it possesses to maintain those commitments, on the other. Kennedy observes that maintaining such a balance is one of the great tests that challenges the longevity of every major power, and that meeting it is particularly difficult for a "number one" country because of the proliferating demands made on it and challenges launched against it. Sometimes he also presents the balance to be struck as one between "the short-term security afforded by large defense forces" and "the long-term security of rising production and income."

Now, it is indisputable that balancing is an essential part of making policy. But deciding where and how to strike a balance is a difficult business, involving more than the weighing of arms against resources. In particular, and crucially, it depends on the *seriousness of the threat* a country faces. If the threat is dire, if there is good reason to believe that an evident weakness will be pounced on and exploited, perhaps decisively, the balance will have to be different from what would be appropriate in a more benign environment, and long-term considerations will have to yield to short-term ones, as a condition for survival. In other words, the proper balance depends on the intentions and capacities of other actors as well as on one's own material resources.

One of Kennedy's key terms is "imperial over-

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stretch," and given that it combines neatly the idea that the U.S. has an "empire" and that military spending should be cut, it is not surprising that it has become one of the book's most quoted phrases. But he conspicuously fails to speak of the complementary danger of "understretch." Bearing in mind the performance of the United States and the other major democracies in the period 1918-39, and the consequences that flowed from their disinclination to shoulder the costs of meeting threats in good time—or, for that matter, the burden-sharing delinquency of Japan and some of the West European countries today—"understretch" is surely worthy of attention. For a failure to appreciate the gravity of a threat and to respond appropriately can lead to decline (and worse) even more surely and swiftly than an overlarge military commitment.

KENNEDY is able to play down the threat faced by the United States because he does not believe that America's principal rival, the Soviet Union, poses much of a threat. The overwhelming impression given by his treatment of the Soviet Union is not of a dangerous adversary but of a country beset by problems and debilitated by internal weaknesses. To be sure, here as elsewhere Kennedy covers all bases and enters qualifications that run counter to the main thrust of his analysis (he ends the section with a stern warning that the USSR is not close to collapse). To be sure, too, most of the weaknesses he points to in the Soviet Union—backwardness in the area of high technology, the demographic trends, the nationality problem, and the rest—are real enough.

But his treatment is flawed in two respects. First, he gives no serious account or assessment of the role of ideology in shaping the Soviet Union's relations with other countries, and therefore no sense of an ambition and hostility that go well beyond what is normal, even for Great Powers. Indeed, the entire book is weak in this respect and it mars the treatment of America as much as it does that of its principal rival. There is as little here about freedom as there is about totalitarian oppression and ambition, and the very occasional attempts to venture into the realm of values and principles are feeble. (At one point the "principles in dispute" between the West and Russia over Europe are described as "self-government versus national security, economic liberalism versus socialistic planning, and so on.")

Leaving aside any moral consideration of such a "value-free" approach, its intellectual consequences are serious. The numerous comparisons of the United States with imperial Spain and the France of Louis XIV, for example, lose much of their plausibility if one takes into account the differences in value systems involved, in terms of individual freedom, property rights, security and equality under the law, the right to associate, etc. —and what these mean in terms of comparative adaptability, creative energy, and recuperative powers. Ideology also largely explains one other crucial difference between the United States and most of the earlier "number one" powers: the fact that while they were confronted by coalitions of hostile states, the United States *leads* a grand coalition against its main rival, which all other major powers (even China) consider more alien and threatening.

The second weakness is Kennedy's treatment of the military strength of the Soviet Union. Here again what he says is superficially balanced, in that he acknowledges its might to be "extremely imposing," but the overall thrust is to stress the limitations of Soviet power and to downgrade the threat it poses to the West. The emphasis is on Soviet military spending as an obstacle to reform, the technological time-lag from which the Russians suffer, the "nationality problem" in the armed forces, and the undependability of its allies. Kennedy castigates "the curious omissions and provisions which have characterized some of the more alarmist Western assessments" and the "somewhat bloodcurdling" assessments of the U.S. Defense Department; but he is silent about the sins of those who take too sanguine a view of Soviet power. Perhaps he does not think that there are such people. For even on the question of relative conventional strength—where the Warsaw Pact forces enjoy a 2.5:1 advantage in tanks, a 3.7:1 advantage in artillery, and a 5:1 advantage in fighter aircraft—he confesses that he agrees with the optimistic view of those Western analysts who maintain that the Warsaw Pact's preponderance "is not a very comforting one" for Moscow. Most of those tanks, he thinks, "would simply clog up the roads."*

If Kennedy plays down the military threat from the Soviet Union, he is equally concerned to play up the growing economic challenge from the Pacific, particularly China and Japan, and from the countries of the European Economic Community (EEC) collectively. In his view, a "pentarchy" of powers already exists. Yet while it is surely right to acknowledge the rapid economic growth of these other countries and its potential significance in political terms, this seems somewhat premature. The overall superiority of the United States, and to a lesser extent the Soviet Union, in power terms

* It is interesting that the writer Kennedy refers to most often on the contemporary Soviet scene is the Australian, Paul Dibb. He is a competent and knowledgeable student of Soviet affairs, but one suspects that his chief attraction for Kennedy is the fact that he is more impressed by Soviet weaknesses than strengths. In Australia Dibb is best known for the review he conducted for the present Labor government of Australia's defense needs and capabilities. It is noteworthy for its conclusions that Australia should abandon its postwar policy of forward defense in Southeast Asia as reflecting "the concerns of a previous era," and that Australia's commitments under ANZUS should not influence the structure and equipment of its defense forces.

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is still immense and sets them apart. And the problems the others face in order to catch up are formidable: China's history over the last forty years is characterized by an inability to hold a steady course for any length of time, which makes it dangerous to extrapolate from recent growth rates; Japan's geographical and resource base is so slight, and its inhibitions about taking on the role of a great power once again so strong, that for some considerable time the problem is going to be to persuade it to assume responsibilities, rather than to cope with its political assertiveness; and the notion of a collective European identity remains, for the present, a notion.

Indeed, when Michael Howard, in a review of this book, writes that the recovery of these other countries "has gradually reduced American ascendancy to that of *primus inter pares* at best," it is difficult to know what he can possibly mean. First among equals? *At best?* What does the Regius professor of modern history at Oxford have in mind? While the U.S. share of the Gross World Product has declined significantly since the artificially high level of the postwar years, when every other major power was economically devastated, it continues to be larger than that of the Soviet Union and Japan combined, and only just smaller than the total share of all *twelve* EEC countries (see Kennedy's tables 43 and 44). Some lame duck.

PAUL KENNEDY maintains that, in relative terms, the United States has declined, is declining, and will continue to decline; that this decline is largely due to the military burden it carries; and that the best that can be done is to "manage" affairs so that the decline takes place slowly and smoothly. Like Kennedy, I am not an economist. Herbert Stein, who is, has recently subjected the Kennedy thesis to economic scrutiny. He points out that since 1976 the U.S. economy has been growing faster than that of the USSR and West Germany, and that while Japan has been growing faster still, the excess of the Japanese growth rate over the American has been declining. At present growth rates, the U.S. share of the combined U.S.-Western Europe-Japan Gross Domestic Product will rise, not fall; and in thirty years its GDP will have gone from 75 percent higher than that of the USSR to 100 percent higher.

The assertion that America is declining because of an excessive military burden Stein dismisses as "a quite incredible idea." He points out that the slowdown in economic growth since 1973 has affected *all* industrial countries, including Japan, whose military burden is trivial; and that during America's period of most rapid growth, from 1948 to 1973, defense expenditures were a much larger fraction of Gross National Product than they have been in the last fifteen years: 8.6 percent as against 5.7 percent. (Even if the "adjustment to decline" argument were to be accepted, therefore, it could be maintained that the necessary adjustment has already been made.) Oddly, despite his constant emphasis that it is *relative* rates that are crucial, when it comes to military expenditure it is actual sums—"more and more of their resources," rather than the percentage of what is available—that seem to count for Kennedy.

Stein goes on to point out that a trade-off between military expenditure and growth is not the only possible one: if we want to increase investment in economic growth, it can be done just as well by a slightly lower rate of consumption (currently close to being the highest in the world) as by a lower rate of defense spending, and thus without incurring any of the risks involved in a diminution of America's power But though Kennedy writes of the "triangular competition" among defense spending, consumption, and investment for growth, and although his subject is power, that alternative is not explored, let alone advocated. In his eyes it is clearly defense that should "give" in the competition.

Elsewhere, whether wittingly or not, Kennedy does provide evidence that runs counter to his conclusions. Thus, dealing with the period 1919-42, he points out that "in the year of the Munich crisis, the U.S. share of world manufacturing output was lower than at any time since around 1910." In fact, according to the figures he provides, that share was lower throughout the 1930's than it had been in 1929, while in the same period the Soviet share more than tripled (from 5 percent in 1929 to 17.6 percent in 1938). On this basis it could have been argued then, as it is argued now, that America was on the way out and that its displacement as the dominant economic power was inevitable and not very distant. This is what many Western intellectuals actually believed at the time, and they were hopelessly wrong. Wrong, not only because World War II stimulated the productive use of underutilized resources in America but because, as the vigorous and sustained postwar growth was to show, the United States contained within itself a dynamic capacity for renewal and expansion—while the Soviet gains had been achieved only at a hideous and ruinous cost, and involved gross inefficiencies.

In similar fashion, those who advocate nuclear disarmament and those who oppose SDI would be wise to exercise some care in embracing Kennedy's arguments. If the case for reducing the military forces of the United States is based on the need to lighten the economic burden they impose, and to achieve a better balance between military power and wealth, then nuclear weapons are the last thing that should be cut, for they are the cheapest component in the American defense arsenal.

As for SDI, if Kennedy's history is accepted, the United States has much to gain in terms of security by pressing on with its ambitious program of

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technological innovation in weaponry, regardless of whether it will provide an invulnerable shield. Since the time of Peter the Great, he maintains, "Russia has always enjoyed its greatest military advantage vis-à-vis the West when the pace of weapons technology has slowed down enough to allow a standardization of equipment and thus of fighting units and tactics. . . . Whenever an upward spiral in weapons technology has placed an emphasis upon quality rather than quantity, however, the Russian advantage has diminished." *Ergo*, if you want to diminish the Russian advantage, initiate an upward spiral in weapons technology—which is what the SDI program is doing. Yet it is a safe bet that any poll of American intellectuals would show that an overwhelming majority of them oppose that program.

PERHAPS the United States *will* experience a serious decline in the next few decades and will be reduced to *primus inter pares* or worse. But if that happens it will not be because of ineluctable forces, or because of "imperial overstretch." It will be because the American people and their leaders have decided that they want other things more than they want to remain the leading power in the world. They made such a choice once before in living memory, when they declined to accept the obligations of leadership after World War I. The results were disastrous. They might have done so again in 1945—despite Kennedy's claim to the contrary, there was nothing preordained about America's assumption of leadership then; it was the result of conscious decision and determined statesmanship.

For twenty years now the impulse to retreat from that decision has been powerful in the United States. The strength and appeal of Ronald Reagan, despite all his manifest shortcomings, was that he spurned that impulse. But the uncritical enthusiasm that has greeted Paul Kennedy's deeply flawed book, with its advice to accept the supposedly inevitable, demonstrates that it is far from dead. Unless it is vigorously contested, it is an impulse that may well prevail. For their own sake, and for the sake of free societies everywhere, Americans should resist the advice to become good losers.

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"Jews, Jews Everywhere"

Vladimir Morozov

1. *Trouble With Point 5*

I REMEMBER the time, about ten years ago, that Boris Sonkin and I met with minister Fedorov. It was not necessary for us both to go—usually, journalists paid such visits unaccompanied—but Goncharov, the department head at our newspaper *Socialist Industry*, insisted that I attend too.

"Come on, Morozov! Sonkin doesn't have an identification card from our paper. It's not proper to send him to the minister without it . . . you'd better go with him."

I was up to my neck in work and tried to get out of it. For the nth time I reminded him that Sonkin needed a card of his own. "The poor fellow has been slaving for us for months. Life will be a lot easier for him with that little ticket."

In a sense Sonkin was my protégé. It just so happened that the first time he came to our office he landed in my lap, although we had never previously met. At the time he submitted a very good article, and I quickly had it published. From then on I handled everything he wrote. This helped me in the competition among the various editorial units of our newspaper, and my own units benefited from it as well. So there was nothing unusual in my request for an ID for Sonkin. Permanent free-lancers are usually given editorial passes. But Goncharov had invented all kinds of excuses to delay the matter. He didn't refuse outright but procrastinated or disingenuously promised to talk to the chief editor that very day. Finally, when I pinned him to the wall, Goncharov admitted the truth. "Morozov, you are really dense. Take a good look at how many Jews you see around our paper. You know damn well how our bosses feel about them! Request an ID for Sonkin? No!—I can't bother my boss with that kind of business now."

"When can you?" I persisted.

"When?" He looked at me. "We'll see. I'm not the boss here You have to understand me. On the whole, I have nothing against the Jews, personally. As a matter of fact, in our party rules it says that we're internationalists. And your Sonkin is a good and aggressive journalist; he should work with us. But the ID will have to wait."

In those days, because of my lack of experience, these words revolted me. In time, I grew accustomed to them. Actually, Goncharov hadn't said anything out of the ordinary, or offensive. My cautious boss had the usual prejudice against Jews, but it was a fairly mild prejudice as prejudices go. After all, he had permitted Sonkin to do work for us. Later on, after many years in the Moscow publishing world, I became immune to this sort of thing.

Periodically, for instance, there were openings at our newspaper, or one of my colleagues from another newspaper would be looking for a job or offering one. "Listen, pal," I would get a call. "We have a vacancy in our department. Can you think of anyone?" If I answered yes, the next sequence of questions would begin with, "What about this fellow's Point 5?"

Everybody in the Soviet Union knows that Point 5 in the questionnaire a citizen has to fill out on any number of occasions pertains to nationality. Obviously, the question was not what nationality the man was, but whether or not he was a Jew. If you answered that not everything was as it should be with Point 5, the result was refusal. "Sorry, old man, this guy wouldn't be right for us. You know what our bosses are like; Point 5-ers aren't welcome."

But if the applicant happened fortunately to be an "Aryan," then the second question followed: is he a party member? If not, serious doubts of another kind ensued: "You see, ours is a central newspaper. . . ."

Third question: does he drink?

These questions came first, before such trifles as the man's professional qualifications. Eventually, however, the question would be: how well does he write? And then: how much experience does he have? Where has he been published? To pass this test was far from easy, especially if one had failed at any of the first three questions. Only if the man's résumé was truly impressive might his qualifications outweigh his deficiencies. "Well, it's a pity that he isn't a party member," one might then hear, "but I'll see what I can do, I'll talk to the boss." But the chances were slim.

One day I decided to resign from my job at

VLADIMIR MOROZOV, here making his first appearance in COMMENTARY, defected from the Soviet Union, where he was an editor and journalist, in 1986. Since his arrival in the United States, Mr. Morozov has worked as an editor at the New York Russian-language newspaper *New Russian Word*, and he is now writing a book on Soviet journalism and trade unions. The present memoir was translated from the Russian by Irina Liberman.

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Socialist Industry, where I was a special correspondent in the newly founded department of socialist competition. The department was headed by one Komarovsky, an excellent journalist and the author of an interesting book entitled *A Month in the Director's Armchair*. Prior to that, Komarovsky had worked as a correspondent for a newspaper in Perm. He had recently come to Moscow and had few friends in the capital, so when he learned of my decision to resign he asked me, "Morozov, please find a replacement for yourself. You know a lot of people in Moscow." I quickly found someone who had been at one of the trade-union papers and was happy to have the opportunity to work for the Central Press. He had been published in *Socialist Industry* previously and his work was pretty good. He was about my age and we were casual friends.

I introduced him to Komarovsky and this was the start of a real mess. The candidate turned out to be a Jew. What a betrayal! I had never given a thought to the nationality of this pleasant, bespectacled, strong man. Russian, Jew, Ethiopian—what's the difference? The important thing was that he was a real professional. Back then, I was still convinced that this qualification was enough.

So I introduced this fellow to Komarovsky, and left on a business trip, feeling certain that my candidate would pass any test with flying colors. But this was not to happen. "You understand," he told me later, "I was called in by Komarovsky. 'Well,' said Komarovsky, 'now we'll meet the editorial board. I'll introduce you. Here, fill out the application.' "

"I filled it out," he continued. "Komarovsky started reading it and I noticed that his face was contorting. Next, he bolted out of the room, but I still wasn't worried. I knew that the editorial board at your newspaper meets at twelve noon, and I had plenty of time, about fifteen minutes. Then, after a while, Komarovsky returned and said with some embarrassment: 'Forgive me, I just found out from the chief editor that he has strong personal ideas about the position for which I had you in mind; either he wants to use someone from his own staff, or someone else, I have no idea. . . . In other words, the situation is not clear. Let's wait a while. When things settle down, I'll call you.' Of course there was nothing to clear up. Your Komarovsky read my application and when he came to Point 5, which says that I'm a Jew, the game was up."

"Are you really a Jew?" I asked foolishly.

"What the hell do you think?" he exclaimed.

"To tell you the truth, I didn't think anything."

"Well from now on, my friend, you'd better start thinking about it," he said with irony. "I'm afraid Komarovsky may make you regret this."

But Komarovsky did nothing of the sort. Instead, he stopped by my office and said apologetically, "Morozov, you understand, of course, that I'm not an anti-Semite. But," he laughed nervously, "it would have been awkward for me to recommend your friend. The problem is . . . well . . . I think you understand yourself now what it is."

I, too, felt ill at ease. And then I took a good look at the man and for the first time realized what a more astute person would have perceived immediately—Komarovsky himself was a Jew, and even looked like one. It was clear that for him to recommend another Jew to work in his office was simply taboo, even if he had really wanted to.

There were no written regulations about this. But, generally speaking, Soviet citizens gradually learn to distinguish on their own between what is acceptable and what is not. A person who, from birth, belongs to the wrong "case" is particularly aware of this. He knows that to get a job in the Central Press, a Jew has to be far more clever, far more gifted, than a Russian—and also that he must not accept no for an answer.

And this is not all. I personally observed the first steps of Volodya Kramer, a gifted journalist working at *Socialist Industry*. His editors constantly cut his material and demanded rewrites. Kramer rewrote and rewrote, then took his article to his tormentors, where it was again rejected and new changes were demanded. Many people in Kramer's shoes would have been broken, would have said the hell with it and given up, gone across the street from the publishing house and gotten drunk. (Those were still the good old days, and newspapermen often had a few shots during working hours.) No matter how many times Kramer was knocked down, however, he would inevitably rise again and resume his work.

In the end, his persistence paid off, and they stopped persecuting him. After all, what fun is it for a man's tormentors if he doesn't complain, or beg for mercy? Since that time, Kramer has worked for years at *Socialist Industry*, and has even been promoted to assistant department head.

To an innocent observer, Kramer's success could be pointed to as an example of how Jews can prosper in Soviet society. But all during those hard times I sat in the same room with him, and knew better than anyone the price at which his final victory was achieved.

2. *We Are Internationalists*

ANTI-SEMITES in the USSR like to harp on the numbers of Jews with successful careers. As the popular folk song goes, "Jews, Jews everywhere. . . ."

It's difficult to challenge this statement; harder still to agree with it. To begin with, statistical information is needed, which in the USSR is unavailable. The true figures would undoubtedly offer abundant food for thought. But of course Soviet citizens are not permitted to have adequate information. Statistics are dangerous! They could unravel false dogmas built up over decades; they could expose the reality that our society has developed quite differently from the way our government, even today, in the time of *glasnost*, proclaims.

But what about the Jews? *Are* many of them

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successful? Those who have achieved something are certainly noticeable. They are, indeed, persons of great energy and ambition, hard-working, and practically unsinkable. But those not endowed with such qualities face the very real possibility of never achieving their goals. Even in school they will be harassed and cut down; their nicest chums will deride them or even beat them up.

My school friend Valery suffered all kinds of injustices, simply on account of having inherited the looks not of his Ukrainian father but of his Jewish mother. Fun-loving Soviet kids in red ties pushed him down a steep hole, covered him with snow, and would have trampled him to death had not a passerby appeared in time. They didn't kill him, but from that time on he stuttered.

Pioneers, are you prepared to fulfill our ideals? Ever ready! How do you like these energetic, clear-eyed pioneers? These Soviet children brought up in the spirit of proletarian internationalism? Children singing beautiful songs, of friendship among nations, of the shining future. And then, tired of singing, they start trampling on their defenseless friends, ready to kill them just because they are not Aryans.

One of the countless Soviet slogans proclaims: "Children are our future!" I often met representatives of this future who had become our present—former pioneers who became, first, members of the Komsomol (All-Union Lenin Young Communist League) and after that party members, and then fathers of children in their turn. Their unrecognized anti-Semitism, formed in childhood, became an important part of their psychology and character. How strange, I would think, beholding them, no one ever indoctrinated them with racist theories; how then did they become racists? Why do they look askance not only at Jews but at other nationalities as well? Is it because of traditional Russian xenophobia? But in czarist Russia, suspicion of foreigners didn't drop from the sky, it was the result of years and years of conscious political inculcation. Perhaps, then, this is also the case today: alongside the official propaganda of friendship among nations exists the concealed preaching of racism. Our kind of government absolutely requires national antagonisms. All kinds of scapegoats are needed to serve as alibis for our countless mishaps and troubles.

At any rate, at all levels of Soviet society one encounters numerous examples of anti-Semitism, chauvinism, overt racism, in short, everything diametrically opposed to Communist principles ("We Are Internationalists!").

A YOUNG Moscow journalist successfully free-lanced for our department when I was at the magazine *Soviet Trade Unions*. His articles were often noted as among the best we published. Everything was fine, until he was betrayed by the same trouble with his Point 5.

It happened like this. One day at work I was stopped by Larisa Kuzmina, the editor of our department. "Listen, Morozov," she said, "is your boss about to hire another Jew? What's the matter with him? Don't we have enough Jews as it is?"

This barrage took me completely by surprise. Basically, Larisa Kuzmina was a decent woman, a "good guy." She was no stranger to dirty jokes, and sometimes indulged herself in some pretty rough stories. You could hit her up for a few rubles until payday. Before the new anti-alcohol law, at our usual office party she was among the first to raise a glass, followed by song.

A long time ago, Larisa Kuzmina had received a Ph.D. and now, along with her journalistic duties, she managed also to teach at the school of the trade-union "movement." Most important of all, she was the deputy secretary in charge of ideology in the party committee of our magazine. And so our leading ideologue now said emphatically, "What do we need Jews for? We are up to our necks in them already." I was somewhat amazed, but I really didn't take it all that seriously. "The woman is emotional; she blows her top," I thought. But she was being much more logical than I imagined.

At one meeting, when neither my boss nor I was present, Larisa Kuzmina offered an impassioned criticism of the materials submitted by the undesirable young journalist. And not only was his work criticized, but also his personal snobbery. Her friends and colleagues at the meeting attacked him in concert: "He's too damn prolific." (In anyone else, of course, this trait would hardly have been considered a crime: to write as prolifically as he did was not given to many at our magazine.) Then the chorus of critics, well-briefed by Larisa Kuzmina, started querying the authenticity of his articles: "Does he plagiarize, maybe?"

It's possible that Larisa Kuzmina had conspired beforehand with the chief editor of our magazine, Mudrov, for after this malevolent meeting Mudrov remarked to me calmly, "You should have heard what people were saying at our meeting. The whole editorial staff agrees that you have to be careful with this writer. Is it really in our interest to work with him?"

Mudrov washed his hands of the whole matter; the ball was now in the court of the collective. But he cut the guy's fees so drastically that the poor fellow was forced to resign.

3. *Is One's Own Rope Necessary?*

ANOTHER episode connected with Larisa Kuzmina comes to mind. But before I tell you about it, let me mention an anecdote.

It goes like this. A foreigner visiting a Soviet plant is surprised by the workers' obedience and orderliness. "Do they never argue about anything?" asks the visitor. "Is there no limit to their obedience?"

"No limit at all," the party boss replies. "They will do anything they are ordered to do." "I can't believe it," says the foreigner. "I'll show you right away that it's true," answers the party boss. He gathers the workers together during the lunch

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break and delivers an impassioned speech: for the sake of future generations, everyone present will have to be hanged. "This is a messy business, comrades," he explains. "Therefore, tomorrow I want you to come to work an hour earlier, so we can settle everything. Is that understood, comrades?"

Everything is clear, but one of the workers raises his hand.

"What do you want to know, Ivanov?" asks the party boss.

"What about the rope?" says Ivanov. "For hanging . . . do we have to bring our own rope?"

One might think this anecdote would no longer be appropriate in today's Soviet Union. But vestiges of the seemingly defunct Stalin period are still with us and, from time to time, surface in our *relatively* liberal society.

Let's return to the editorial office and Larisa Kuzmina. A campaign to get all of us to subscribe to various journals was coming to an end. We had fulfilled our quota for *Pravda*, which was anyway compulsory for nearly all journalists. Then one day Larisa Kuzmina stormed into the office. "Who hasn't subscribed yet to the party journals?" she demanded. Readers for these dull journals were hard to find. Only a few strange types or the very cautious subscribed to them, just in case.

A few nonconformists shyly asked Larisa Kuzmina, "Is subscription compulsory?" "Every journalist must subscribe to magazines like *Communist* or *Party Life*," came the answer. But some politically immature comrades continued to wonder, "Was this ever compulsory before?" "It's compulsory now," snapped Larisa Kuzmina. "I just had a call from the regional party committee. They demand it."

From the regional party committee itself! Our bosses! In this case you are helpless. Some people at our place complained, but what could they do? I overheard two of our correspondents discussing the details.

"Larisa Kuzmina demands either that you sign up in the office or that you bring her a receipt proving that you subscribed elsewhere."

"That's going too far! We'll sign up. But to bring a receipt is insulting."

I listened to this in disbelief. Here were two intelligent and decent people. What were they talking about? It's hard to believe the Soviet people have been indoctrinated to this extent, broken in such a way. "What's the matter, guys?" I asked. "Are you wondering about the rope? Whether they'll supply it or you'll have to bring your own?"

They laughed in embarrassment. A few days later, half an hour before the party meeting, I bumped into Larisa Kuzmina in the typing office. There the workers kept tea, sugar, and boiling water, purchased with petty cash. We made ourselves two cups of tea and exchanged a few pleasantries. As I said, when not involved in official or party matters, Larisa Kuzmina was a very decent person, even witty and pleasant. A little later, still smiling from our chat, she asked me, "By the way, did you subscribe to the party magazines?"

"No," I said. "I'll get them from the library if need be."

"All right," she said, still smiling, "then I'll give you hell at the meeting."

"You do that," I said, smiling back.

In the event, as I suspected, she did nothing.

But I don't want to create a false impression: although in this small conflict I behaved somewhat differently from my colleagues, on the whole I was no better and no worse than anybody else. A system that formed us for its own benefit obviously had not prepared us for displays of individualism. And so, along with everyone else, I, too, sometimes became deeply implicated in problems to which the question applied: "Is one's own rope necessary?"

4. *Solzhenitsyn the Zionist*

Anti-Semitism in the office of *Socialist Industry* and *Soviet Trade Unions* was sporadic, and rather childish. But at the magazine *Our Contemporary*, where I also worked for a time, things were entirely different. There, anti-Semitism took on a programmatic character. There, Jews were not eased out of jobs; they were simply not hired. The process was much better organized. After all, *Our Contemporary* was a substantial literary publication, an organ of the Writers' Union of Russia, no less.

In the editorial offices and among the free-lance writers were a great many Slavophiles. To me, their ideas seemed peculiar, one-sided. But arguing with these people was fun; they knew by heart their Dostoevsky, their Tolstoy, and many other authors, and they attacked you with the full weight of their considerable erudition.

To them, the history of Russia was the history of a deadly struggle with international Jewry. With a certain amount of effort, I could be led to concede the element of truth in their proposition that the microbe of socialism, which had infected the healthy body of Russia, had come from the West, and that the guilty party was a Jew, Karl Marx. But I became really ill at ease when they began to attack, as Zionist tools, men who in the Communist pantheon were worshipped as forerunners of Bolshevism (and who were not Jews at all): "Those bastards—Belinsky, Dobrolyubov, Chernishevsky. Those revolutionary democrats!" They would argue over what percentage of Lenin's blood was Jewish, and whether or not the amount was historically significant.

I will not mention the names of these people because their opinions did not always conform to the official line, even though they were, and are, useful to the state ideology. Their social and literary activities attract a certain segment of the population and guide them in a direction beneficial to the government. And it is helpful to divert people's attention, to focus their dissatisfaction not on the principal perpetrators, the Communist party, but on those good old scapegoats, the Jews.

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Whenever the Slavophile is reasonable, he is impregnable to Soviet propaganda; his considerable learning makes him a hard skeptic. But this skepticism vanishes when his idiosyncrasy is tapped. It is enough to mention that some public figure is a Jew, and the person so mentioned is compromised in the Slavophile's sight forever. "Pasternak is a Jew!" That half-truth (although he was born a Jew, Pasternak in his work identified with Christianity) was enough to dispose of the outstanding poet of our time. Or connect any event with the Zionists, and it immediately acquires a completely different meaning. "This whole Prague Spring in 1968 was created by the Zionists. The whole mess was organized by the Czech Writers' Union; the majority of them are Jews, just like in our own."

"Well, then, everything is clear."

Once I heard an absolutely absurd remark: "Solzhenitsyn behaves the way he does because he is a Jew." Of course, knowledgeable people would laugh this off, but one shouldn't underestimate how uninformed and therefore how easily influenced the Soviet citizen can be. At that time, I had read very little by Solzhenitsyn, just a few things in the official magazines and his letter to the Writers' Union which had been circulated in *samizdat*. I had also heard a small portion of *The Gulag Archipelago* read over Western radio. But even this passing acquaintance with his work was enough to teach me to respect the man and see that this wild characterization was false on every conceivable front. What on earth was the difference, anyway, whether he was a Jew, a Russian, or a Ukrainian?

"You don't understand a damned thing," said my Slavophile friends, condescendingly. "You are really dense." And they repeated verbatim the words of my boss, Goncharov, at *Socialist Industry*.

5. *What We Don't Like About Them*

AT THAT TIME, a fellow writer at *Our Contemporary* tried to enlighten me. She gave me a *samizdat* article that discussed our various problems. It was there, by the way, that Solzhenitsyn was branded a Jew and a Zionist, and as a result an argument ensued between us. It wasn't the first time that we had had a bit of a fight, but now I told her unceremoniously, "I'll bet this was composed by the KGB to discredit Solzhenitsyn in the eyes of anti-Semites like you."

She replied jokingly, "And you, apparently, are a dissident?"

"You yourself are a dissident," I blurted out. I would not have dared to snap back at her in such a manner if it were not for her candor.

Another young writer who wished to convince me of all the evils of Zionism showed me a book by Vasily Shulgin, a fomer member of the Duma in czarist Russia. This book, published in Paris in 1934 (I believe), is entitled *What We Don't Like About Them*. It contains the program of a convinced anti-Semite. Shulgin was a great deal more open and honest than my colleagues at *Our Contemporary*, writing very graphically about the reasons for his own anti-Semitism and for that of the Russian people at large.

I particularly remember one of his examples. Take a look at our émigré newspapers, writes Shulgin, or words to that effect. In one you'll find mistakes, sloppiness, the devil knows what: this is the product of our Russians. In another, everything is neat, clear, organized, in its place: this indicates that it was produced by Jews. Things were exactly like this before the Revolution, too, Shulgin continues, and not only in the publishing business but in everything, because the Jews are more qualified and more aggressive. It's clear that in fair competition they will always outdo the Russians. It is precisely for this reason, he concludes, that the Pale of Settlement was introduced in Russia, and Jews were generally kept in one place. Just give the bastards a break, and they will pull any kind of stunt.

What is there to say? It's nice to deal with an honest man, and in a way it's a pity that our censors do not permit Shulgin's modern-day counterparts to be so outspoken. A public airing might expose the origins of anti-Semitism, not to mention its ugly hatefulness, for all to see.

A man I knew once told me that he personally had nothing against the Jews, but how could he get ahead? One had to belong to some group, and since he wasn't a Jew, his only solution was to become an anti-Semite. "Take a look at how Jews help each other," he said to me, "if we don't unite against them, they won't let us get to first base."

All this reminds me of a well-known anecdote: tourists in hell are shown three huge iron cauldrons containing sinners. Two of the cauldrons lack a lid. "This one doesn't have to be closed," explains the guide, "because Russians are stewing in it. If one of them tries to escape, another grabs him by his feet and yanks him back." "Here we have a second cauldron," continues the guide. "It's not only open, it even has a ladder. Chinese are inside; order and discipline flourish. They boil for a while, then one of them gets out, climbs down the ladder, adds some more coal to the fire, and returns to the cauldron." "The lid of the third cauldron is tightly sealed," the guide says finally, "and there is a good reason for this, because there are Jews inside. If one of them gets out, he'll take all the others with him."

It's difficult for Soviet citizens to learn this kind of solidarity. On the contrary, everyone pulls in his own direction. Not only are we bombarded by official propaganda, but now the Slavophiles are trying to foist their theories on us. All right, let the lovers of such hellish conditions have their way. I, personally, will pass.

6. *Because His Last Name Is Kolodny*

OUR group of Moscow journalists was supposed to fly from Moscow to West Germany on October 10, 1986. (For me this was

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to be a fateful journey, marking my flight to the West.) But on the morning of the 8th, nobody was sure whether or not we'd be permitted to leave. At lunch, I stopped by the office of the head of the group, Miss Petrikova, who worked at the Progress publishing house. A co-worker took me aside. "Better wait here, our boss is raising hell."

Well, he was human even though he was the boss. About ten people worked in that room and the telephone was constantly ringing: "Get Petrikova!" And you could sympathize with our tourists, too; they were nervous. They'd been literally sitting on their luggage for days, and might have to unpack again. But finally, after lunch, Petrikova appeared and proclaimed: "We are going. Tomorrow morning is our first meeting."

On the morning of the 9th, we paid for our visas. At noon, we were briefed in the House of Journalists. Petrikova went through the roll call: "Ivanov!" Ivanov stood up and identified himself. The next name Petrikova called out was Kolodny. No answer. She paused, and spoke his first name: Lev. No answer. She raised her eyes from the list. "Where are you hiding?" Kolodny didn't speak up. "He'll probably get here any minute," said Petrikova. All the rest were present. But Kolodny never showed up.

This fellow was no ordinary newspaperman. He was a well-known Moscow journalist who had published many books, and for many years had been the head of the reporters' section at the Moscow branch of the Union of Journalists of the USSR. "Can you imagine, even Kolodny is coming with us," people in our tour group had been saying to one another with self-satisfaction. But he didn't go with us; he wasn't allowed to leave, and he found out only one day before departure.

But why? What was the reason? "Don't ask stupid questions," a member of our group admonished me. "Kolodny is not going because of his name—Kolodny. Your name is Morozov, a typically Russian name, and you are allowed to go." Everything was clear: again Point 5. We, the internationalists!

I THINK the time has come to divulge my own secret: the fact is that I'm only half-Russian. My father is a Jew, Boris Yakovlevich Rishin. No, he didn't want to go to Israel, and he sincerely criticized those who did. What's more, he disliked anecdotes of "questionable" political import and even interrupted me whenever I tried to tell him one. All his life, he worked hard as the assistant principal of a school. He always got up early, before anyone else, and left work later than anyone. He would come home from work so weary that he couldn't eat: "I had better lie down for a while. Where is my nitroglycerin?" His portrait hung on the honor roll at the headquarters of the regional party committee of Krasnogvardeysky District. He limped slightly in very cold weather; he had been wounded during World War II, and was demobilized as an invalid although later the wounded leg gave him almost no trouble. Both he and my mother, who was also a teacher, were loved by their pupils. At times, I would be stopped in the street by his former students, fat bald men who would ask me: "How are your parents doing? How is their health? Give them my best." Sometimes they would come to visit my parents, and on Teachers' Day they brought them flowers.

My father, in short, is an average Soviet citizen, but he too is a Point 5-er, and he suffers from certain unpleasant consequences of this status. I remember the following story from my childhood. I was fourteen years old, and we were about to visit my father's mother. My other grandmother—on my mother's side—had spent more than half of her life in Moscow but managed to remain a Tver peasant with a typical provincial dialect, constantly using idiomatic expressions. Similarly, my grandmother on my father's side, in spite of *her* many years in Moscow, had remained a typical Jewish woman in appearance, speech, and mannerisms. I wanted to invite one of my girlfriends from school to join us on our trip but my mother was against it: "Your father doesn't want the students at school to know that he is a Jew."

My father doesn't look very Jewish, but like so many other people, both his and my contemporaries, he naturally took adequate measures to protect himself. And I did this myself.

Of course, for me it was much easier. I felt Russian in my heart. I was brought up in a typical Russian environment. My Tver grandmother had me baptized in the Russian Orthodox religion, and for a while, when I was living with my mother's parents and even a bit later, I wore a cross. Later on, as a grown man, when I was leaving to go and work in the Baltic republics, I had this cross sewn into the lapel of my jacket. These seemingly petty details stay with you all your life. Little by little, compulsory atheism melts away from one's heart and although God may still be unacceptable, the cross, the icon in grandmother's room, her well-thumbed New Testament, the stale-tasting church bread, become indelible parts of one's soul.

My own contacts with "international Zionism" were very frail, based only on my father's non-Aryan status. True, sometimes I cautiously sympathized with Jews and gave anti-Semites a bit of an argument. There were quite a few Jews among my friends. But very few of them knew I was half-Jewish myself. Most considered me to be a 100-percent Russian; a decent Russian, not an anti-Semite. And I, too, liked to think of myself in exactly the same way. It was much safer.

God endowed me neither with an optimistic, uncomplaining temperament nor with a soldier's strength. As a result, I denied the truth, or simply refused to acknowledge it for many years. Or perhaps (to be more charitable to myself) I was dissembling, until the day came when dissembling would no longer be necessary.

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The First Revisionist Historian

Donald Kagan

THE title of this essay refers to the Greek historian Thucydides, and it raises several questions. The first is who was Thucydides, and why should we be interested in his work almost two and a half millennia after it was written? Next, what is a revisionist historian, and how can we think of Thucydides as a revisionist when he seems to have been the first man to write a history of the war that was his subject? What, therefore, did he revise? Finally, by what right can he be called the greatest of revisionists, in competition with all the others who have borne that title?

Thucydides was an Athenian aristocrat who came of age at the height of the greatness of Periclean Athens. Born about 460 B.C.E., he was not yet thirty when the great war broke out between Athens and its imperial subjects, on the one hand, and the Spartans and their mainly Peloponnesian allies, on the other, a war that we have come to call the Peloponnesian War. Interrupted by one brief and one longer truce of about six years, it lasted for twenty-seven years, and left Greece shattered, impoverished, and permanently weakened. Never again were the Greeks the masters of their own fate, and only three-quarters of a century after the war they fell prey to Macedonian power and lost their independence and autonomy. This war was Thucydides' subject.

But why should a war among ancient Greek city-states interest us today? The answer lies in Thucydides' definition of his task and in the skill with which he carried it out. "Perhaps," he said,

> my account will seem less interesting to read because it lacks the romantic element. But I shall be satisfied if those will judge my work useful who want to understand clearly the things that have happened in the past which, given the nature of human beings, will happen again some time in the future in the same or a similar way. My work is not an essay in a contest meant to win the applause of the moment but a possession forever.*

His intention and expectation were not vain, for his work has lasted and been judged useful to this very day. In fact, it is probably more influential at this moment than ever before. No university course in international relations or in the history of warfare is likely to be without it. His history is a staple at the military academies and the Kennedy School of Government at Harvard. When promising officers are told that they have been given the coveted assignment to the Naval War College in Newport, Rhode Island, a key step on the career ladder of flag officers, they are at the same time sent a copy of Thucydides, the first book in the curriculum. The assumption underlying all this is that there are, in fact, continuing aspects of human behavior in society, especially under the extreme pressure caused by wars, and that Thucydides' work sheds valuable light on them.

What, then, is a revisionist? In a sense all historians are revisionists, for unless they merely tell the same old story in different words, each tries to make some contribution that changes our understanding of the past. But when we use the term revisionist we generally mean something more fundamental; we refer to a writer who tries to change the reader's mind about events in the past in a major way, not merely to correct a few errors or add something to the picture but to provide a new interpretation, to change our way of looking at the matter generally.

The first time, so far as I am aware, the term was used was after World War I. The people who lived in the Allied nations during the war were confident that the Central Powers had been responsible for bringing it on and deserved, in some degree, to be punished for it. Soon after the war, however, some people began to argue that it was not so, that Germany and Austria were no more responsible for the war than Russia, France, and England, perhaps less so. Soon historians called "revisionists" joined them and made scholarly arguments in support of that position. Before long they had captured the minds of educated people in England and the United States. Even some Frenchmen were convinced; as for the Bolshevik government of Russia, it did not need to be persuaded of the wickedness of the czarist regime.

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* The translations throughout are my own—D.K.

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Since then the phenomenon has become common. A few writers, A.J.P. Taylor most notable among them, tried to revise the general opinion that held Hitler responsible for World War II, and they enjoyed a certain vogue before the tide of the evidence and the lack of an eager constituency overwhelmed it. More recently the cold war and the war in Vietnam have undergone similar treatment. These reversals are more than mere remote controversies among scholars and pseudo-scholars; they have great practical importance. What happened in the past, and even more importantly, what we think happened, has a powerful influence on the way we act in response to our own problems today. What historians and others say happened and what they say it means, therefore, make a great difference.

The controversy about World War I illustrates the point. The Americans and the English in particular came to feel that Germany had been wrongly blamed and therefore unjustly treated by the Versailles treaty. The Americans used this as the main justification for rejecting that treaty and for retreating into isolation from world affairs. The English could not go so far, but their belief that Germany had been falsely accused made it easy to permit and justify Hitler's violations of the treaty. Feelings of guilt helped support a policy of disarmament, unpreparedness, and appeasement. The English poet W.H. Auden, responding to Hitler's invasion of Poland in "September 1, 1939," revealed how deeply the idea had sunk in and how late, in spite of everything, it had lasted:

> Accurate scholarship can
> Unearth the whole offense
> From Luther until now
> That has driven a culture mad,
> Find what occurred at Linz,
> What huge imago made
> A psychopathic god:
> I and the public know
> What all schoolchildren learn,
> Those to whom evil is done
> Do evil in return.

More recent scholarship has shown to most people's satisfaction that the opinion of contemporaries was right, that the greatest blame for World War I can be laid at Germany's door and that guilty feelings were uncalled for. But it is too late. The revisionist historians did their work so well and fit so nicely into the climate of opinion of the 20's and 30's that they captured the minds of a generation and helped move them in a direction they wanted to go.*

THUCYDIDES, as much as anyone who has ever lived, believed in the practical importance of history, so we would expect him to be eager to set straight any errors of fact or interpretation that he found. His critical spirit is visible throughout his work. "In examining the past," he tells us, "it is not easy to believe each and every piece of evidence that is reported. For people accept the stories they hear of the past from one another equally without question, even when they are about their own country." The Athenians, for instance, are misinformed, says Thucydides, about how the tyrants were driven from the land. Other Greeks are equally wrong about historical facts, such as the details of the Spartan constitution.

With these comments, Thucydides seems to be criticizing his great predecessor Herodotus, the historian of the Persian War, for carelessness and credulity. In contrast he describes his own method:

> As to the facts of what took place in the war I have thought that I should not write what I have learned from any informant I happened upon nor set down how the matter seemed to me. Instead I wrote on the basis of what I observed with my own eyes or of what I learned from others, after examining the accuracy of their reports in every detail with the greatest possible care. Even so, it was not easy to discover the truth, for those who were present at the various events did not give the same accounts of them, either because of prejudice toward one side or the other or through faulty memory.

So it is clear that Thucydides was a sophisticated, critical historian, ready to correct factual errors wherever he found them. But his revisionist tendencies are clear on a larger scale than that of mere factual detail. Thus he uses the evidence of Homer to show that the great poet exaggerated the size of the Trojan War, and argues that it was less the valor of the Trojans than the poverty of the Greeks that made the siege so long.

So Thucydides had the instincts of a revisionist. But if his was the first history of the Peloponnesian War, what was there to revise? The answer is the same as in the other instances I have mentioned: the not yet fully formulated or written opinions of contemporaries. In modern times such opinions are easy to recover. Some of us still remember them and, in any case, modern revisionists always confront them and argue against them. Thucydides' method is far different. He writes in the third person, in a remote, lofty, almost Olympian style. He argues with no one and presents no alternative view, even to refute it. He gives the reader only the necessary facts and the conclusions he has distilled from them after careful investigation and thought. He has been so successful that for more than 2,400 years, few readers have been aware that other opinions existed. But a careful reading of Thucydides himself and the few other ancient sources available to us shows that there were other opinions in Thucydides' time and that his *History* is a powerful and effective polemic against them. My own work for the past two decades has largely been to recover those forgotten

* See my article, "World War I, World War II, World War III," COMMENTARY, March 1987.

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and obscured contemporary opinions and to compare them with Thucydides' own interpretations. The results, I believe, cast an interesting light on the mind of Thucydides and the significance of his work.

The very idea that there was a single war lasting from 431 to 404 B.C.E. that deserved, from the Athenian point of view, to be called "the Peloponnesian War" seems to have been a Thucydidean invention. The war, after all, was interrupted by a truce for one year in 423 and the Peace of Nicias in 421, and some contemporaries clearly thought of the ten years' war from 431 to 421 and the period beginning with the Sicilian expedition in 415 and the resumption of fighting on the mainland in 414 as two separate wars. Thucydides, however, believed otherwise:

> For six years and ten months, to be sure, they refrained from invading each other's territory, but outside the homelands an insecure truce did not prevent each side from doing serious damage to the other. At last, they were forced to break the treaties sworn to after the ten years' war and to make an open declaration of war again.
>
> The same Thucydides, an Athenian, has written an account of this period, too, composing a chronological narrative of events by summers and winters up to the point when the Spartans and their allies put an end to the empire of the Athenians and captured the Long Walls and Piraeus. By then the war had lasted twenty-seven years in all. And anyone maintaining that the period of truce in the middle should be excluded would be quite wrong.

The last sentence plainly indicates the polemical purpose of the discussion.

A FAR MORE interesting dispute involved the causes of and responsibility for the war. To the ordinary Athenian it must have seemed that the war came as a result of a series of incidents beginning about 436 B.C.E. at Epidamnus, a remote town in what is now Albania. There a civil war soon brought about a conflict between Corcyra, a neutral and isolated island state that owned a powerful navy, and Corinth, an important ally of Sparta. Their quarrel threatened the general peace when Athens made an alliance with Corcyra and so was arrayed against Sparta's ally Corinth.

In the winter of 433-32 the Corinthians helped provoke a rebellion in Potidaea, one of Athens's imperial subject cities, and sent a force to resist Athens's besieging army. During the same winter the Athenians issued a decree barring the citizens of Megara, another city allied to Sparta, from using the marketplace of Athens and any harbor in the Athenian empire, a measure certain to cause great distress. It was chiefly the Megarians and Corinthians who persuaded the Spartans that the Athenians were a great menace and had broken the peace, and who convinced them to launch the war. There is clear evidence that Athenian opinion focused on the Megarian decree as the main cause of the war, and held Pericles responsible for both it and the war that ensued.

In 425 the comic poet Aristophanes presented a play called the *Acharnians*. The war had by then dragged on for six long and painful years, and his comic hero Dicaeopolis has decided to make a separate peace for himself. This so angers the patriotic and bellicose chorus that the hero is forced to explain that it was not the Spartans who began the war:

> Some vice-ridden wretches, men of no honor, false men, not even real citizens, kept denouncing Megara's little coats; and if anyone ever saw a cucumber, a hare, a suckling pig, a clove of garlic, or a lump of salt, all were denounced as Megarian and confiscated.

Then, he goes on, some drunken Athenians stole a Megarian woman and, in return, some Megarians stole three prostitutes from the house of Aspasia, Pericles' mistress. Next, the infuriated Pericles

> enacted laws which sounded like drinking songs, "That the Megarians must leave our land, our market, our sea and our continent." Then, when the Megarians were slowly starving, they begged the Spartans to get the law of the three whores withdrawn. We refused, though they asked us often. And from that came the clash of shields.

Now, using the evidence of Athenian comedy to understand contemporary political events is a tricky business. Just imagine the trouble somebody 2,000 years from now would have making sense of a monologue by Johnny Carson or a skit on *Saturday Night Live*. Aristophanes is clearly having fun by connecting the Megarian decree, which we know was supported by Pericles, with the rape of women which, according to Homer, started the Trojan War, and according to Herodotus, was said to have caused the war between Greeks and Persians as well. Still, he makes the Megarian decree and the Athenian refusal to withdraw it central in the coming of the war both in the *Acharnians* and in another comedy, *The Peace*, performed in 421. There he makes Hermes explain to the war-weary Athenian farmers how peace was lost in the first place:

> The beginning of our trouble was the disgrace of Phidias; then Pericles, fearing he might share in the misfortune, dreading your ill nature and stubborn ways, before he could suffer harm, set the city aflame by throwing out that little spark, the Megarian decree.

The full context reveals that the connection between the attacks on Phidias, Pericles' friend and associate, and the Megarian decree was the poet's own comic invention. But it was taken seriously

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by such ancient writers as Diodorus of Sicily and Plutarch, and very probably reflected charges made by contemporary enemies of Pericles. The hard kernel of opinion central to all this is the common belief that the cause of the war was the Megarian decree and that Pericles was responsible for it.

Whatever the importance the decree might have had, this view was surely an oversimplification, and any good historian would have rejected it as a sufficient explanation. Thucydides, in fact, gives it very little attention, not mentioning it in its natural place in the narrative, not indicating precisely when it was instituted, what its purpose was, or how it worked out in practice. He does not conceal the fact that Sparta made peace conditional on the withdrawal of the decree, or that it became the center of the final debate in Athens. His way of refuting the common opinion, which he judged erroneous, was not to confront it directly but to indicate the unimportance of the decree by the small place it occupies in his narrative.

But Thucydides goes even further in rejecting the ordinary point of view, denying the significance not only of the Megarian decree but of all the specific quarrels that led up to the war. His own interpretation represents a sweeping revision of the usual explanations:

> I have set out first the reasons why they broke the truce, the differences and complaints between them so that no one ever need ask why so great a war broke out among the Greeks. My own opinion is that the truest explanation, though the one least discussed publicly, is that the power of Athens had grown, bringing fear to the Spartans, and compelling them to go to war.

Thucydides restates the same explanation in other words twice more in his account of the war's origins, and, in fact, the whole first book is carefully organized to support that interpretation. So skillfully and powerfully did he work that his interpretation has convinced all but a few readers over the centuries. The revisionist view quickly and lastingly became orthodoxy.

ANOTHER controversy surrounds Pericles' strategy for waging the war. That strategy was, in fact, a most unusual one. Pericles told the Athenians that if they "would remain quiet, take care of their fleet, not try to extend their empire in wartime, and do nothing to endanger their city, they would win out." The practical application of this plan was to have all the Athenians, the majority of whom were farmers living in the Attic countryside, withdraw within the compass of the walls of Athens, the port of Piraeus, and the long walls connecting them, refuse to give battle on land, and allow the Spartans to do whatever damage they liked to the Athenian land and homes. The Athenians would take the offensive only in the form of commando raids on the Peloponnesus, but would risk no major battle there either. The Athenians could do this because their walls made their city secure against attack, because their fleet ruled the seas and could guarantee the food supply from abroad, and because there was plenty of money in the treasury to support the war. The assumption was that the Spartans and their allies would soon see that they could neither make the Athenians fight nor make them yield, would tire of the fruitless campaigning, and would make peace on acceptable terms.

Things did not work out as expected. The Spartans did not quickly see reason. In the second year of the war a terrible plague broke out in the crowded Athenian city, ultimately killing one-third of the population. Pericles died in the third year of the war, but his original strategy prevailed for three more years without success. The treasury ran dry and rebellion broke out in the empire. Athenian fortunes turned for the better only when Cleon, Pericles' critic and opponent, caused the Athenians to abandon the original strategy for a more daring and aggressive one.

Naturally, there was plenty of criticism, even in the first year of the war. Plutarch tells us that Pericles' friends urged him to take the offensive and that his enemies attacked him for not doing so, Cleon foremost among them. The comic poets went at him with vigor: "In their choruses they taunted him with mocking songs and abused his leadership for its cowardice and for abandoning everything to the enemy." We have a pointed fragment from one of them:

> Come now, king of the satyrs, stop waging
> the war
> With your speeches, and try a real weapon!
> Though I do not believe, under all your fine talk
> You have even the guts of a Teles.
> For if someone gets out a whetstone and tries
> Just to sharpen so much as a pen-knife,
> You start grinding your teeth and fly into a rage
> As if Cleon had come up and stung you.

Thucydides himself confirms the general accuracy of this account. The sight of their fields being ravaged was too much for many Athenians, especially the young, who wanted to march right out and fight. "The city," he says,

> was carried away in every respect; the people were angry with Pericles and no longer remembered the advice he had given them before. Instead they blamed him for being a general who did not lead them out to fight and held him responsible for all their sufferings.

So great was the Athenians' passion that Pericles did not trust the usual processes of the democracy but used his great influence to prevent the meeting of any assembly.

But in the next year the great plague descended upon Athens, and Pericles was no longer able to restrain the people. Thucydides tells us:

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> They changed their minds and blamed Pericles for persuading them to go to war and said that it was his fault that misfortune had fallen upon them. They rushed headlong into seeking an agreement with the Spartans and sent ambassadors to them, but they accomplished nothing. Then, when they had exhausted every device and were completely downcast, they brought charges against Pericles.

Pericles responded with a characteristically brilliant speech, which gained only partial success. The Athenians stopped seeking peace but maintained their resentment against Pericles. They removed him from office and imposed a heavy fine. After the strongest passions had faded, the Athenians reelected Pericles as general, but he lived only a few months into his term. At his death his strategy would have had to be judged a failure; his city was besieged and wracked by disease, its fields ravaged, its treasury depleted, its prospects grim. As I have said, only a reversal of that strategy under the urging of his enemy Cleon brought a significant victory at Pylos four years later and allowed Athens to continue fighting the war.

Such is an account of the situation that can be derived by reading Thucydides carefully and selectively, and such, surely, was the view of many, perhaps even most, Athenians. But that is certainly not the picture that emerges for most readers of the *History*. What appears instead is this: a foolish and fickle democratic mob, swayed now by hope and now by fear, is a victim of its passions, lacking wisdom, restraint, and character; overcome by disaster, the masses reject the steadfastness and courage of their leader, only to seek him out again when the worst moment has passed.

In his narrative Thucydides leaves no doubt that Pericles was right in every respect. Assailed by those who wanted to go out and fight, he prevented an assembly, "fearing that if they met in assembly they would go wrong by yielding to anger rather than reason." In the next year when the Athenians were fearful and depressed enough to seek peace,

> Pericles saw that they were exasperated by their situation and were behaving in just the way he had expected. So he called for an assembly . . . for he wanted to encourage them and, by removing their anger, to restore them to a calmer and more confident state of mind.

As to the great victory won by Cleon at Pylos in 425, a victory that immediately led the Spartans to sue for peace, Thucydides attributes it to a series of lucky accidents, concluding with the capture of Spartan prisoners that produced the request for peace. "Cleon had kept his promise," says Thucydides, "mad as it was." But against the charge that Pericles' strategy was faulty Thucydides does not confine himself to indirect rebuttal. Instead, in what is the longest direct statement of his own opinion in the entire work, he makes a full defense:

> So long as he was the leading figure in the state during peacetime he managed its affairs with moderation and protected its safety, and under his leadership Athens reached its greatest heights; when war came he seems to have foreseen accurately its power in this situation as well.
>
> He lived for two years and six months beyond the outbreak of the war, and after his death his foresight in respect to the war was recognized even more. For he had said that if they would remain quiet, take care of their fleet, not try to extend their empire during the war, and do nothing to endanger the city they would win out. What they did was entirely the opposite, for they allowed personal ambitions and interests, in matters that seemed to have nothing to do with the war, to make them pursue policies that were bad both for themselves and their allies. When such policies were successful they brought honor and profit only to individuals, but when they failed they harmed the state in its conduct of the war.
>
> The reason for this was that Pericles, who exercised power because of his reputation and intelligence and because of his well-known incorruptibility, held the people in check even as he respected their liberty, and he led them instead of being led by them. Because he held his power without resort to improper means he did not need to tell them what it pleased them to hear, but since he held it because of his high reputation he was able to contradict them and even to make them angry. When he saw, therefore, that they were unduly confident and arrogant, he would speak in such a way as to strike fear into them; on the other hand, when they were unreasonably fearful he restored their courage once again. What was called a democracy was becoming, in fact, the rule of the foremost man. But those who came after him were more on a par with one another and, each one being eager to become the foremost man, shaped their policies to please the people and turned over the conduct of affairs to them. As a result, since it happened in a great imperial state, many mistakes were made, especially the expedition to Sicily, which was not so much an error in judgment as to the strength of the enemy they would oppose as it was a failure of those who sent it out to take additional actions to support those who had sailed. Instead they busied themselves with private intrigues over the leadership of the people and thereby both dulled the edge of the expedition and introduced civil war into the city for the first time.
>
> Yet even when they had been defeated in Sicily, losing their army and the greater part of their fleet, and when their city was already in a state of civil war, nevertheless, they held out for ten more years not only against the enemies they already had but also against the Sicilians who joined them, the majority of their own allies who now were in revolt, and later also again Cyrus, son of the King of Persia, who joined

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> their enemies and provided money to the Peloponnesians for their fleet. They did not give in until they had destroyed themselves by their private quarrels and been defeated. So abundantly great were the grounds for Pericles' prediction at that time that Athens would very easily win out in a war over the Peloponnesians alone.

Small wonder that so eloquent and powerful an analysis has convinced posterity that Pericles' critics were pygmies and has all but obliterated their arguments.

LET me offer one final example, though there are others, of Thucydides' attempt to revise contemporary opinion. I focus on a passage in the long quotation I have just read: "What was called a democracy was becoming, in fact, the rule of the foremost man. But those who came after him were more on a par with one another and, each one being eager to become the foremost man, shaped their policies to please the people and turned over the conduct of affairs to them." Now this judgment may have been even more at odds with contemporary opinion than the others. Pericles had begun his political career as a lieutenant of Ephialtes, the man who had overthrown the conservative rule of Cimon and the noble council of the Areopagus and opened the door to full democracy. Pericles himself was the first to introduce payment for jurors in the law courts, a crucial step in the development of democracy and the one most vigorously denounced by its enemies. Aristotle tells us that "Some people blamed him on this account and say that the law courts deteriorated, since after that it was always the common men rather than the better men who were eager to participate in drawing the lot for duty in the law courts. Also, after this, corruption ensued." In his two-party image of Athenian politics Aristotle lists Pericles among the demagogues alongside such men as Cleon and Cleophon.

Plato's picture of Pericles is much the same. In the dialogue called *Gorgias* he has Socrates say: "I hear that he was the first who gave the people pay, and made them idle and cowardly, and encouraged them in the love of talk and of money." These, of course, are the views of aristocratic enemies of democracy and come from the century after Pericles' death, yet they surely reflect the criticisms leveled by contemporaries. But the Pericles who appears in Thucydides' *History* is a different man entirely. In his first appearance he is introduced as "at that time the foremost man among the Athenians and the most powerful in speech and in action." He addresses the Athenian people as few democratic politicians have ever addressed an electorate, boldly, proudly, masterfully. Responding to the clamor that the Megarian decree be withdrawn and war avoided, he tells the Athenians:

> I make the same judgment as always, men of Athens, that we should not give in to the Spartans, although I know that men do not act with the same feelings when they are actually engaged in war as when they were persuaded to enter it; as the course of events changes so does their judgment. . . . I think that it is right for those of you who are persuaded by my arguments to support the decisions we are making together, even if we suffer some reverses, or claim no credit for wisdom when we succeed.

There is a hint here of the call to sacrifice found in Winston Churchill's famous reference to "Blood, sweat, toil, and tears," but there is also a tone of rebuke and challenge that not even Churchill would have dared to use.

Even more striking is Pericles' response to the attacks made on him in the second year of the war:

> These outbursts of your anger against me come as no surprise, for I know their cause and have called an assembly for this purpose: to remind you of certain things and to find fault with you if, without reason, in some way you are irritated with me or are giving way to your misfortunes. . . . Is it not wrong to do what you are doing now? You are so overcome by the disasters that have struck at your own homes that you are abandoning the common safety and are blaming me for urging you to go to war and yourselves for voting to do so.

We have no reason to doubt that Thucydides is accurately reporting at least the general sense of what Pericles said, and we must agree with him and against Plato, Aristotle, and the contemporaries whose views they echoed. These are not the words of a demagogue but of an exceptional leader with qualities far above those of the ordinary democratic politician.

Still, Thucydides' revision of the hostile opinion goes too far. By no stretch of the facts can Periclean Athens be called a democracy "that was becoming, in fact, the rule of the foremost man." That would make the Athens of Pericles very much like Augustan Rome, but to mention this analogy is immediately to see its falseness. The rule of Augustus rested on his absolute control of the only military force in the Mediterranean world. He could not be removed from power by any means other than assassination. Pericles, by contrast, was entirely dependent on the continued and freely expressed support of the Athenian people. The proof is that during the war the people were able to reject his advice, depose, and even punish him, and he could do nothing to prevent it. Here we have the most difficult of Thucydides' reinterpretations to accept, and indeed not many modern scholars have accepted it.

I HOPE I have shown that these three attempts by Thucydides to revise the common opinion are really controversial. My own

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view is that in all three cases, especially the last, the contemporary view was closer to the truth than his. To decide why this might be so leads us to ask why Thucydides found the need to be a revisionist.

We must remember that there was not yet a historical profession, no doctoral candidates pressing to find an original idea, no prestigious professorships luring historians to say something bold and different. Recent scholarship has emphasized what careful readers have always known—that behind that cool, distant, analytical style there is a passionate individual writing about the most important events of his own time, about the power of his own city and its destruction. We must not forget, moreover, that he was an active participant in the events he describes. A generation younger than Pericles, he clearly admired him beyond all other statesmen. A blue-blooded aristocrat, he nonetheless lived comfortably in the Athenian democracy and, indeed, flourished in its most extreme moments, for he was elected general in 424, five years after Pericles' death, when Cleon's power was at its height. Yet his *History* makes it clear that he had little but contempt for the democratic system.

His attitude becomes easier to understand when we remember that during his year in office the important Athenian colony of Amphipolis, whose safety it was his duty as naval commander to protect, fell into Spartan hands. The Athenians held him responsible for the failure and condemned him to exile for the rest of the war. For twenty years he lived among foreigners and fellow exiles, all of them hostile to democracy. They must have wondered, perhaps aloud, at the paradox of a man like Thucydides, a nobleman contemptuous of democracy, who had lived and prospered in the greatest of democracies and who admired the greatest of democractic leaders. His *History*, I suggest, was his answer, not merely a history of his own times but an *apologia pro vita sua*. He would show that the common opinion was wrong in all major respects. Pericles was not responsible for the war but rather deserved praise for recognizing it was inevitable and making intelligent plans accordingly. Far from being the cause of Athenian suffering and defeat, Pericles' strategy was correct and would have triumphed, had he not died too soon and had his strategy not been reversed by incompetent successors. Finally, and perhaps most importantly, Pericles was neither a demagogue nor even a democrat but a remarkable statesman who ruled the people rather than being ruled by them.

Such, I believe, was Thucydides' reason for needing to reinterpret the major events of his life, though, I hasten to add, it was probably not the only reason. The one thing of which I am certain after thirty years of trying to comprehend this most complicated of minds is that any simple statement about Thucydides is sure to be wrong. But now the time has come to justify my claim that Thucydides was not only the first revisionist historian but also the greatest.

My first reason is that he wrote with such persuasiveness that his views have dominated opinion ever since his work appeared and have almost obliterated all others. The second is that in the process he created a work of art so compelling that he has inscribed on the minds of his readers an unforgettable picture of the Athens of his time, one that has ruled our thinking ever since. Finally, in writing about his own times to suit immediate needs which he felt passionately, he wrote, at the same time, a keen analytic study of human beings living in society and under the extreme pressures of war and disaster, a study we still find illuminating and meaningful today.

In his funeral oration, Pericles boasted that the greatness of his city spoke for itself. "We have provided great evidences of our power, and it is not without witnesses; we are the objects of wonder today and will be in the future. We have no need of a Homer to praise us or of anyone else whose words delight us for the moment but whose account of the facts will be discredited by the truth." But in this I believe he was wrong. Even the tangible proof of the greatness of Periclean Athens that is provided by the temples of the Acropolis is mute and inadequate. The greatness of Periclean Athens remains immortal chiefly thanks to another writer, a conscious rival of Homer whose portrait and defense of Pericles have dominated the centuries and made his Athens "a possession forever."

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Art, Kitsch & Politics

John P. Sisk

SOME American lovers of the Parisian music-hall world may have been happy to see Paul Chutkow referring with nostalgic affection in the New York *Times* to the "high-kitsch candelabra" in the grand lobby of the Folies-Bergère. Others, understandably, may have been offended: why should anything they remember so fondly be labeled kitsch? Still others, a minority perhaps, may have been confused, particularly if they accepted the new *Random House Dictionary*'s decision that "kitsch" is "something of tawdry design, appearance, or content created to appeal to popular or indiscriminating taste." By what dispensation, they might wonder, is the tawdry a matter of degree or scale? Are we to scorn low or mid-kitsch while we permit ourselves to admire high kitsch?

Nevertheless, the designation "high kitsch" is useful. With it one is able to praise something with an ironic faint damn that protects the praiser from the possibility that what he praises may turn out to be more tawdry than he first believed. God knows, it can be as hard to sort out the world aesthetically as to live in it ethically, especially since the two activities are so easily confused. A visitor's unqualified admiration of that eccentric architectural contraption, the Georges Pompidou Center (Beaubourg), would incline some sophisticated Parisians to bracket him with those bourgeois innocents for whom Disneyland is a peak experience. Indeed, one of the first things the sensitive traveler must learn is not only what in a particular foreign place is considered kitsch by knowledgeable natives but also what examples of it are considered high enough to be safely admired. This can be a difficult distinction to make, travelers having a notorious capacity to romanticize the low into the high. It is quite possible that the Frenchman who scoffs at an American's desire to have lunch on the Eiffel Tower would himself choose Coney Island over the Museum of Modern Art if he were visiting America.

Kitsch is the sign of the vulgarity, sleaze, schlock, sentimentality, and bad faith that mark and mar the human condition. This is why utopia can be defined as a state of affairs in which the term has disappeared because it no longer has a referent. Insofar as they are oriented to utopia, Marxist-inspired totalitarian societies know kitsch only as a contamination native to bourgeois capitalism from which they are immune, and which is doomed in the dialectical progression to go the way of greed, private property, and individualism. Unfortunately, as Milan Kundera has shown in his most recent novel, *The Unbearable Lightness of Being*, this very assumption can result in a cultural and political imprisonment in what, according to the traditional values of Central Europe, can only be called kitsch. This is the way it is in the Czechoslovakia of his novel, a land in which the most overwhelming and at the same time most constricting manifestation of kitsch is the fantasy of the Grand March.

The Grand March, says Kundera, is "the political kitsch joining leftists of all times and tendencies." It is "the splendid march on the road to brotherhood, equality, justice [that] goes on and on, obstacles notwithstanding, for obstacles there must be if the march is to be the Grand March." It makes no difference whether the theoretical aim is the dictatorship of the proletariat or democracy, the rejection of the consumer society or the favoring of it, whether the result is guillotine, gulag, or the complete elimination of the death penalty. "What makes a leftist a leftist is not this or that theory, but his ability to integrate any theory into the kitsch called the Grand March." It is Kundera, of course, not the leftist, who identifies the Grand March as kitsch. For the leftist the Grand March is not only immune to the virus of kitsch but extends its immunity to all who join it, especially the true-believing and forward-marching artist: the act of marching liberates the artist from the crippling fear that his work, despite heroic effort, will turn out to be kitsch, perhaps not even high kitsch.

But *The Unbearable Lightness of Being* is more than an anti-leftist tract. "My enemy is kitsch, not Communism!" exclaims one of the main characters, the Czech painter Sabina. Here she speaks for the novel, for which kitsch comes in all varieties: "Catholic, Protestant, Jewish, Communist, Fascist, democratic, feminist, European, American, national, international." None of us "is superman enough to escape kitsch completely. No matter how we scorn it, kitsch is an integral part of the human condition."

Sabina must put kitsch first in the hierarchy of evils because she understands the authentic artist as a categorical deviation from the collective and "a spit in the eye of the smiling brotherhood." *This* artist is on the side of irony ("because in the realm of kitsch everything must be taken seriously"); against the playacting that sometimes seems to be the only alternative to dropping out of the Grand March altogether; and knows the mistake of aiming at happiness since "happiness is the longing for repetition." The rejec-

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tion of kitsch is thus a moral imperative that leaves no room for the hedging distinction between authentic art and high kitsch.

Of course the moral imperative of the aesthetic was familiar enough long before Kundera came on the scene, having been well-publicized for nearly two centuries by the conflict between artist and bourgeois—a conflict marked by many defections on both sides as particular combatants lost their nerve or discovered that they had oversimplified its terms. One complication has been the extent to which the fear of repetition both identifies the artist as a bringer of novelty into the world and enlists him in a Grand March of its own. In the meantime, admired novelties one after another fall into the kitsch-bin of history. The wise Ulysses, addressing the naive Achilles in Shakespeare's *Troilus and Cressida*, speaks ironically of this reversal of expectation:

> One touch of nature makes the whole world kin,
> That all with one consent praise newborn-gawds,
> Though they are made and moulded of things past,
> And give to dust that is a little gilt,
> More laud than gilt o'erdusted.

Ulysses, on loan here from Homer, is saying that it is natural for everyone to be taken in by the merely superficial value of novelties. It is an inclination particularly hard to resist in a time when, because of the confusion of standards, it can appear that the only safe way for the champion of the aesthetic moral imperative to end up sometimes on the side of genuine originality is the risky one of always being on the side of the newborn gawds of novelty. Since in the circumstances of modernity the very effort to avoid kitsch (the consequence of putting kitsch first among evils, as Sabina does) increases the amount of kitsch in the world, the chance of identifying the truly original when it appears is like the chance of getting rich in a lottery. We know, for instance, that the value of Picasso's 1907 painting *Les Demoiselles d'Avignon* has a great deal to do with its boldness as an experiment, to say nothing of the shock it gave to lovers of established kitsch. But when more recently the Bulgarian artist Christo wrapped the Seine's Pont Neuf in 440,000 square feet of polyamide nylon cloth, or constructed a twenty-four-mile fence of wind-billowing nylon panels in northern California, was he being any less boldly original? Or who before Andy Warhol ever dared to portray in a single art work one hundred cans of Campbell's soup?

One might even look to Christo and Warhol for some of the saving irony that Kundera opposes to kitsch. Is Christo with exuberant gamesomeness mocking our fatuous conviction that the good is always the grandiose, that we are a dispensed people for whom quantity and quality are always complementary? Is he forcing us to see the extent to which our kitsch-contaminated minds have debauched our national wonders, so that we quite inevitably and innocently turn natural wonders like Niagara Falls, the Grand Canyon, and Yellowstone National Park into tourist traps? Perhaps Warhol's soup cans are a didactic image for a society morbidly dependent on the repetitiousness of its structural clichés. Perhaps he is wryly offering himself as a demonstration of one kind of survival technique in a society in danger of being overwhelmed by kitsch: take your cue from the trader Stein in Conrad's *Lord Jim* and submit yourself to the destructive element.

On the other hand, Pop Art itself can be a relief from the aesthetic moral imperative to stand intransigently against kitsch. As one of its practitioners (Robert Indiana) has said, it "walks young for the moment without the weight of four thousand years of history on its shoulder." In the world of Pop Art it is possible to relax from your high and ulcer-inducing standards and just go with the flow, enjoying something like the liberating dispensation that court jesters once did. You can enjoy Christo, the Rolling Stones, or the Beatles without wondering whether they are high, mid-, or low kitsch. You might, like the anthropologist Lionel Tiger, admire the Beatles because "they made everyone feel better," their "hype was true," their "energy and affection were real," their primitive energy "refined and amplified." Indeed, the world of Pop Art benefits from the same dispensation that the world of the primitive does, so that it can seem as irrelevant to complain about the sleaziness of Eddie Murphy's humor or Warhol's pornographic films as to complain about the garish body paint of a Polynesian cannibal.

Yet it is also possible to hear behind the exuberant racket of Pop Art the tramping feet of still another Grand March. In *Rolling Stone*'s special Beatles anniversary issue, for instance, the poet Allen Ginsberg says that the Beatles did more than anyone "to prepare us for some kind of open-minded, open-hearted relationship to each other—and the rest of the world." For the British psychiatrist R.D. Laing the Beatles gave us "a shared sense of celebration around the world" at a time when "everyone was getting the feel of the world as a global village." Laing even sees them as expressing the same theories as A.S. Neill and Wilhelm Reich (the latter's reconciliation of Freud and Marx, it should be remembered, was offered as the formula for the grandest of one-world Grand Marches). "The Pop idea," Warhol observes in *POPism*, "was that anybody could do anything."

Such one-world sentiments might remind Kundera of something he wrote in an earlier novel, *The Book of Laughter and Forgetting*. There the Czech pop singer Karel Gott is more precious to the dictator Gustav Husak than any number of intellectuals, specialists, and professionals because Gott represents music "returned to the primordial state . . . music minus memory." We may safely infer that for Kundera the realization of one world will be possible, as he says in the later novel, "only on the basis of kitsch." The corollary would seem to be that all Grand Marches have an affinity for one another, and all represent a failure of aesthetic nerve. No wonder Sabina must put kitsch first; if she does not she must learn to march with Karel Gott and risk beginning to feel that his

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music is not kitsch at all, in which case he will have done her more damage as an artist than Husak can.

But Sabina has built-in protections against the likes of Gott. She recognizes that a mawkish song that moves her momentarily is only a beautiful lie, and she knows that the Mass she attends in a village church is beautiful not because of the experience of God (for Kundera, God appears to be the supreme kitsch-master) but because of the mysterious revelation "that beauty is a world betrayed." Beauty, says Kundera, "hides behind the scenes of the May Day parade," which is the Mass-like ceremonial designed to make impossible any undercutting irony. If we want to find that beauty, resuscitate that irony, we must demolish those scenes.

Here the analogy is with that highly principled demolisher of established tradition, modernism, which has accustomed us to seeing the ugly, the subversive, the antisocial, and the obscene transvalued to the point where they become privileged means of serving the aesthetic Grand March by trashing what opposes it. But often enough too such dedicated efforts introduce more newborn gawds into the world than security- and beauty-hungry human beings can handle, so that they are easily recruited into Kundera's simplifying Grand March of the Left.

IT IS partly a matter of style. Kitsch, whether in the form of the candelabra of the Folies-Bergère or the Grand March of the Left, attempts so to captivate consciousness that any distinction between style and what is styled is inconceivable. Kitsch cannot tolerate style-consciousness, which implies critical distance and a degree of protective irony: other styles, better or worse or at least different, are possible. Beethoven's *Ninth* or Leonardo's *Mona Lisa* can tolerate such possibilities, but kitsch, especially the kitsch of the Grand March, cannot because it takes itself too seriously.

Warhol in a 1963 interview in *Art News* presents a way of avoiding this troublesome issue. He finds it impossible to say that one style is better than another when there are "millions of painters and all pretty good." He believes that "artists who aren't very good should become like everybody else so that people would like things that aren't very good." This sounds much like the relief from the burden of distinguishing between style and what is styled that Kundera's Grand March offers, particularly when one notes in the same interview that Warhol wanted everybody to be like a machine and "do the same thing every time . . . do it over and over again." In Husak's repetitious Czechoslovakia, Warhol could have been the court painter, as honored as Charles Lebrun was in Louis XIV's Versailles.

Flaubert dreamed of another way of avoiding the tension between style and what is styled. "What seems beautiful to me," he wrote to Louise Colet, "what I would like to write, is a book about nothing, a book dependent on nothing external, which would be held together by the strength of its style. . . ." Such a book would, presumably, resolve the conflict of two distinct persons in himself: "one who is infatuated with bombast, lyricism, eagle flights, sonorities of phrase, and the high points of ideas; and another who digs and burrows into the truth as deeply as he can. . . ." A man so suspicious of his own infatuation with eagle flights would be about as useful to the Grand March of the Left as Dostoevsky's Underground Man. Gustav Husak would have traded a hundred like them for one Karol Gott whose natural habitat is eagle country.

But if Flaubert, with an assist from the Underground Man, helps us to see the bovarism in all Grand Marches, he also helps us to see the inverse bovarism in the Grand March of anti-kitsch. Here the marchers are motivated by the thought that the real enemy may be neither Communism nor kitsch, not even style. Behind that "beauty is a world betrayed" of Kundera's novel is the lurking suspicion that beauty, for which style is only the agency, is itself the betrayer, the Lorelei who distracts our attention from the rocks we dare not contemplate. Behind the beautiful lie Sabina senses in the mawkish song is the strong possibility that all beauty is a lie.

But suppose, to put it another way, that behind this Lorelei beauty is another figure: that master stylist and confounder of all attempts to distinguish between kitsch and non-kitsch, whom our culture has known as the devil. Czeslaw Milosz has said, "Today those who do not believe in God are vastly outnumbered by those who, by reason of historical experience, assent to the devil." As Leszek Kolakowski points out (see his brilliant essay, "Politics and the Devil," in the December 1987 *Encounter*), this devil is a counselor of perfectionism and a skillful exploiter of our yearning for innocence. Kolakowski makes us remember that the leaders of Kundera's Grand March are enthusiasts "convinced they had discovered the only road to paradise" and who never ceased to doubt that "Deep in our hearts we are innocent!" Such convictions are exactly what is needed to turn any Grand March into a parade of tyrannous and even bloody stumblebums.

This devil, knowing how vulnerable humans are to the call to a Grand March, is seen working to a double effect in both of Kundera's novels. The members of the Grand March of the Left, secure in the certainty of their paradisiacal destination, are as released by their ideological entrapment from the burden of kitsch as the Protestant antinomians were from the burden of sin. But at the same time, the devil attempts with considerable success to inspire in the rejecters of the Grand March a perfectionist fear of kitsch that has the effect of a countering ideological entrapment. Now the only certain and morally imperative way to get rid of kitsch is to get rid of beauty, with its sorcerer's power to fob off on us its newborn gawds. Beauty is the destructive element in which the rejecters of the Grand March of the Left dare not immerse themselves.

THE literary, religious, and political consequences of this second ideological entrapment are apparent enough. Once you have been persuaded to put kitsch first in the

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hierarchy of evils, its contaminating presence can be seen everywhere. Poetry, for instance, gets driven into a narrow corner, and poets, having become pathologically suspicious of all eagle flights, find the great Romantics either bores or an embarrassment, and Keats's odes begin to sound like anticipations of old-fashioned Hallmark greeting cards—which is about the way James Joyce's *Pomes Penyeach* sounded to Ezra Pound. Religion, as dependent as poetry on the possibility of transcendence through ritual and symbol, gets defined by its trashiest excesses, so that one Jimmy Swaggart invalidates a dozen St. Theresas, and the great Jewish and Christian mystics begin to sound as if they had just returned from a "Higher Self" seminar with Shirley MacLaine. Thus Kolakowski's devil comes on as a liberator, whose message is that all that compels admiration, reverence, and awe is self-diminishing and therefore inauthentic.

The devil is no less a liberator from the aesthetically offensive burden of political involvement in a democracy, the low-kitsch rhetoric and ceremonials of which utterly nauseate him. His influence can be seen in those literary intellectuals who since the French Revolution have continued to hanker after an aristocratic order. Baudelaire, for instance, is not surprised to learn that Poe was unappreciated in America, "a country without a great capital and without an aristocracy." And it is as hard to imagine Flaubert or Joyce in a voting booth as it is to imagine Plato in Disneyland or Sartre as a judge in the Miss Universe contest.

There are even signs of a hankering after aristocracy in much post-structural criticism, especially deconstruction. The latter, continuing the vulgarities of popular exposé-writing on a higher level, undertakes an elitist devaluation of all those beautiful lies on which aesthetic, religious, moral, and political authorities have taken their stand. In recent years critics who belong to this persuasion have been in the vanguard of the Grand March of anti-kitsch. It has been slowed down, perhaps only momentarily, by the news that one of its leaders, the late Paul de Man of Yale, had cooperated with Hitler's Grand March by writing anti-Semitic articles for a pro-Nazi newspaper in Belgium. It is interesting to think that a man who had taught so many not to take eagle flights at their own evaluation may once have responded without post-structural irony to the eagle flights of Hitler's imagination in *Mein Kampf*. Could his subsequent professional life have been in part an attempt to reclaim for himself the power he had once surrendered to a beautiful lie?

One may wonder how de Man would have reacted to Flaubert's hypothetical novel which, depending on nothing external, would have been held together only by the strength of its style. Would it have been as uncontaminated by kitsch as it would have been impervious to the deconstructionist's wrecking bar? Perhaps if Flaubert had managed to bring it off it would have been carried like an Ark of the Covenant ahead of the Grand March of anti-kitsch. But it was only a utopian daydream. Flaubert seems to have known that his infatuation with bombast, lyricism, and eagle flights was no less important to the writing of *Madame Bovary* than his desire to delve deeply into the truth.

Kundera's own fear of eagle flights is of course deep-seated, which is why one leaves *The Unbearable Lightness of Being* with the uneasy feeling that he is more than half persuaded that Kolakowski's devil is right. This is why Kundera is vulnerable to Norman Podhoretz's criticism that he is too easily coopted by those "who think that there is no moral or political or cultural difference between West and East worth talking about, let alone fighting over."* This is the inevitable consequence of putting kitsch first among one's enemies. It is also a sign that Kundera is still compelled by the implied disjunctive logic of Husak's Grand March of the Left: the only alternative to it is the Grand March of anti-kitsch.

But the Grand March of anti-kitsch, urged on as it is by Kolakowski's devil, knows the human condition to be absolutely unacceptable. From its perfectionist and time-hating perspective it is impermissible to believe what would otherwise be obvious enough: that human beings in their artistic, religious, and political enterprises have a remarkable capacity not simply to live comfortably and even productively with kitsch but to use kitsch itself as a *via media* for rising above it; that to deny this is to deny the possibility of a viable community. Such a community may be less menaced by glitzy candelabra and schlocky Disneylands than by an aesthetic moral imperative inspired by a terror of all high-flying eagles.

* "An Open Letter to Milan Kundera," COMMENTARY, October 1984.

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Conservative Splits

Dan Himmelfarb

IN HIS contribution to a symposium on "The State of Conservatism" in the Spring 1986 issue of the *Intercollegiate Review*, the Old Right historian and editor Paul Gottfried noted that neoconservatives "have always been open in expressing their contempt for the Old Right." Whether or not this claim is valid—and there is reason to question its validity, inasmuch as a central theme of neoconservative thought is that the enemies are now on the Left—the converse seems to be true: criticism of neoconservatism has come to be an increasingly conspicuous feature of Old Right writings.

The general complaint is that neoconservatives exert disproportionate influence within the "conservative intellectual movement," that neoconservatism is now regarded as roughly equivalent to—rather than merely a species of—"American conservatism." Thus Clyde Wilson, in the *Intercollegiate Review* symposium, wrote (of the Old Right) that "we have simply been crowded out by overwhelming numbers. . . . Our estate has been taken over by an impostor, just as we were about to inherit." And Stephen J. Tonsor took the following well-publicized swipe at neoconservatives at a Philadelphia Society meeting: "It is splendid when the town whore gets religion and joins the church. Now and then she makes a good choir director, but when she begins to tell the minister what he ought to say in his Sunday sermons, matters have been carried too far."

The tension between neoconservatism and what has come to be called paleoconservatism (i.e., the Old Right) is one of the major themes of *The Conservative Movement*, a slim book by Paul Gottfried and Old Right editor Thomas Fleming,[1] which serves, essentially, as a postscript to George H. Nash's excellent history, *The Conservative Intellectual Movement in America* (1976). While the authors of *The Conservative Movement* are considerably more evenhanded and less polemical in their treatment of neoconservatism than previous Old Right observers have been, Gottfried and Fleming's attitude toward neoconservatism remains unmistakably—albeit subtly—critical.

Why the conflict? What is (are) the difference(s) between neoconservatism and paleoconservatism? Are these differences superficial or fundamental?

THERE are several prevailing explanations for the split between neo- and paleoconservatives. Some are more convincing than others. None is entirely satisfactory.

One explanation holds that it is not so much the neoconservatives' conservatism that is new as their conversion to it. That is to say, neoconservatives and paleoconservatives differ only with respect to their past: as opposed to the neoconservatives, who moved—or "progressed," as some would say—from socialism to anti-Communist liberalism to conservatism, the paleoconservatives have spent their entire lives on the right half of the political spectrum. At present, according to this explanation, there is no significant difference between the two groups. Thus Nathan Glazer's definition of a neoconservative: "someone who wasn't a conservative."

While this account may apply to the neoconservative "elders"—Irving Kristol, Norman Podhoretz, and Hilton Kramer, for example—it cannot explain why younger editors and writers, who have never embraced any ideology of the Left, choose to think of themselves as neoconservatives rather than simply as conservatives. The existence of second-generation neoconservatives suggests that it is possible to have been a neoconservative all of one's life—or at least since political consciousness began.

A second explanation stresses the link between neoconservatism and social science—or more specifically, sociology, the discipline of choice for, among others, Nathan Glazer, Peter L. Berger, and Seymour Martin Lipset. (Daniel Bell, another sociologist who is regularly identified with neoconservatism, continues to spurn the label.) Paleoconservatives, in contrast, are generally suspicious of social science: they eschew "tinkering," and reject the view of society as a set of "problems" for which there are discoverable "solutions." Thus Gottfried and Fleming distinguish between the paleoconservatives, whose "hearts [are] in literature and theology," and the neoconservatives, who "revel in statistics and computerized information." Paleoconservatives, add the authors, "rarely sought the kind of statistical confirmation that neoconservative academics produce for their positions."

While it is true that neoconservatives tend to be more respectful than paleoconservatives of the social-scientific method, the connection between neoconservatism and social science is often exaggerated —perhaps because of a tendency to equate neoconservative thought with the contents of the *Public Interest*. While it is fair to describe the *Public Interest*, with its tables, graphs, and regression analyses, as a social-science journal, such a description is inappropriate for COMMENTARY, which regularly publishes essays on history, religion, and literature, among other topics outside the bounds of social science. Still less is there anything social-scientific about the *New Criterion*.

Insofar as neoconservatives do take social science seriously, moreover, their approach tends to be skeptical: neoconservative social scientists have consistently argued

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[1] Twayne Publishers, 140 pp., $18.95.

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that a large part of the solution to social problems lies in the restoration of tradition, authority, and restraint. Thus Nathan Glazer, writing in these pages in 1971,[2] argued that "the breakdown of traditional modes of behavior is the chief cause of our social problems," and prescribed "hesitation in the development of social policies that sanction the abandonment of traditional practices" and "the creation and building of new traditions." And James Q. Wilson, contributing an essay on "Private Virtue and Public Policy" to the 20th-anniversary issue of the *Public Interest* (Fall 1985), wrote: "In almost every area of important public concern, we are seeking to induce persons to act virtuously, whether as schoolchildren, applicants for public assistance, would-be lawbreakers, or voters and public officials." Neoconservative social science is not, in the language of Max Weber, *wertfrei* (value-free), nor is it necessarily inconsistent with the paleoconservative (i.e., non-social-scientific) approach to social problems.

A THIRD explanation emphasizes the "Jewish" character of neoconservatism. Thus Gottfried and Fleming: "Among the factors that led . . . many . . . neoconservatives to disengage from the Left, their Jewishness was certainly significant." (Stephen Tonsor has stated that "neoconservatism is culturally unthinkable aside from the history of the Jewish intellectual in the 20th century.") According to this explanation, there is something inherently Jewish about neoconservatism, while paleoconservatism is thought to be intrinsically Christian (usually specifically Catholic). Or, stated differently (and more bluntly): paleoconservatism is the conservatism of Christians, neoconservatism the conservatism of Jews.

While it is fair to argue that Judaism is a "significant" aspect of neoconservatism, it is probably an exaggeration to say that neoconservatism is "unthinkable" apart from it. The anti-Israel sentiment, to say nothing of anti-Semitism, that has become increasingly prominent in certain Left-liberal circles in the last twenty years, has indeed been an important influence on many who have broken with the Left. But this is by no means the only feature of Left liberalism that neoconservatives find objectionable; the contemporary Left's anti-Americanism, for example, is a quality that has led Gentiles as well as Jews to repudiate the Left. Brigitte and Peter Berger (both Lutherans) have observed, in these pages,[3] that "many more non-Jews identify with neoconservatism than is often supposed." And whatever causes Michael Novak (a lay Catholic theologian) and Richard John Neuhaus (a Lutheran pastor) to feel more comfortable with the neoconservative than with the paleoconservative label, it is certainly not Judaism.

A FOURTH explanation suggests that the distinction between neo- and paleoconservatism is a matter of placement on the political spectrum: neoconservatives are thought to be "to the left" of paleoconservatives. Gottfried and Fleming, for example, see neoconservatives as "political centrists who deplore the lack of moderation on both sides of the spectrum," and add that "neoconservatives, who may have learned from Arthur Schlesinger's book by that title the value of claiming to be the vital center, never abandon, at least rhetorically, the *juste milieu*." The view of neoconservatives as center-rightists is accurate in many respects—particularly with regard to the welfare state. Gottfried and Fleming are certainly correct when they observe that neoconservatism "is not entirely incompatible with modern state planning," and that "almost all neoconservatives . . . remain qualified defenders of the welfare state." And their distinction between the neoconservatives' plans to "trim" the welfare state and the paleoconservatives' desire to "dismantle" it is an important one.

Neoconservatives also tend to be "to the left" of paleoconservatives socially and culturally. In the preface to *The Conservative Movement*, the authors write that "one conclusion that may be drawn from this book" is that an "emphasis on progress" is a "distinctive feature of the contemporary American Right"—i.e., an American Right that has come increasingly under the influence of neoconservatism. Most of the (neoconservative) contributors to the November 1985 COMMENTARY symposium,[4] as Gottfried and Fleming observe, wrote favorably about recent improvements in the areas of civil rights and economic well-being. Against neoconservatives, who emphasize social and material progress, paleoconservatives tend to see moral degeneration—itself a product of secularization—as the distinguishing characteristic of American life in the second half of the 20th century.

There is also the matter of party identification. It is probably safe to say that virtually all paleoconservatives are registered Republicans. As for neoconservatives, though the dominant branch of the Democratic party currently embraces the very ideas and policies against which they have rebelled, many neoconservatives still do not feel entirely comfortable with the Republican party—if only from an emotional or psychological standpoint. While it is likely that Robert Nisbet was exaggerating when he wrote (in the Fall 1985 *Public Interest*) that "probably only a small fraction of those who had been most prominent in the *Public Interest* and in COMMENTARY voted for Reagan" in 1980 and 1984, it remains true that many—perhaps most—of the older neoconservatives, and more than a few of the younger ones, continue to think of themselves as Democrats, even while distancing themselves from the policies and candidates of the Democratic party. (Nathan Glazer, two years after his confession of his conversion to conservatism,[5] endorsed the candidacy of George McGovern, himself a founding father of the left wing of the Democratic Party.[6])

With regard to domestic policy, then, it is fair to say that neoconservatism is a center-right tendency, and that paleoconservatism is "to its right." It would be difficult to support a similar claim, however,

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2 "The Limits of Social Policy," September 1971.

3 "Our Conservatism and Theirs," October 1986.

4 "How Has the United States Met Its Major Challenges Since 1945?"

5 "On Being Deradicalized," COMMENTARY, October 1970.

6 "McGovern and the Jews: A Debate" (with Milton Himmelfarb), COMMENTARY, September 1972.

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with regard to foreign policy. If movement from left to right on the foreign-policy spectrum represents a movement from less anti-Communism to more, a case can be made for locating neoconservatives "to the right" of paleoconservatives. For in contrast to neoconservatism, a prominent feature of which is an unapologetic and unyielding anti-Communism, paleoconservatism, as Gottfried and Fleming acknowledge, "for all its professed anti-Communism, retains some of its old isolationist spirit." In foreign policy it is the paleoconservatives, not the neoconservatives, who are the "moderates."

The difference between paleoconservatives and neoconservatives, in sum, is thought to be a difference of chronology (old-timers vs. Johnnies-come-lately); a difference in attitude toward social science (hostility vs. sympathy); a difference of religion (Christianity vs. Judaism); or a difference in location on the political spectrum (right vs. center-right). Each of these explanations is only partially correct. There is another, better way of explaining the tension between the two conservatisms—namely, as a tension between two distinct philosophical traditions.

Reflecting on the definition of a neoconservative, Irving Kristol has written that "the political tradition . . . which neoconservatives wish to renew and revive . . . is the political tradition associated with the birth of modern liberal society—a society distinguished from all others by representative government and a predominantly free-market economy."[7] Stephen Tonsor, seeking to distinguish "real" conservatism from neoconservatism, has argued that "conservatism has its roots in a much older tradition. Its world view is Roman or Anglo-Catholic; its political philosophy, Aristotelian and Thomist; its concerns, moral and ethical; its culture, that of Christian humanism."

The fundamental difference between neoconservatism and paleoconservatism is this: neoconservatives belong to the tradition of liberal-democratic modernity, the tradition of Montesquieu, Madison, and Tocqueville; paleoconservatives are the heirs to the Christian and aristocratic Middle Ages, to Augustine, Aquinas, and Hooker. The principles of neoconservatism are individual liberty, self-government, and equality of opportunity; those of paleoconservatism are religious—particularly Christian—belief, hierarchy, and prescription.

Insofar as the principles that neoconservatives embrace are rather explicitly American—they are conspicuously embodied in the Declaration of Independence, for example—and insofar as these are not the principles with which paleoconservatives feel most comfortable, it is fair to say that paleoconservatism is fundamentally extra-American. That is to say, it stands outside the American liberal tradition. Thus Gottfried and Fleming, acknowledging the premodern—indeed, antimodern—character of paleoconservatism, locate its roots in "a civilization that went back beyond the American past, into the medieval and ancient worlds."

This philosophical division underlies the many instances in which neoconservatives and paleoconservatives disagree even while agreeing, in which they agree on what but not on why. Take the Founding Fathers, for example, of whom conservatives of every stripe tend to be respectful, if not reverent. For neoconservatives the Founders are liberals in the best sense: they are champions of individual rights, popular government, spiritual equality, and cultural and religious pluralism. Paleoconservatives, in contrast, place the Founders in the Christian tradition; they regard them as defenders of the "religious heritage" of Western civilization.

Thus, in the seminal work of paleoconservatism, *The Conservative Mind* (1953), Old Right elder Russell Kirk's treatment of the Founding Fathers consists of a chapter on John Adams, by all es-

[7] "What is a Liberal—Who is a Conservative?: A Symposium," Commentary, September 1976.

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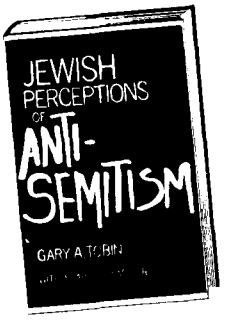

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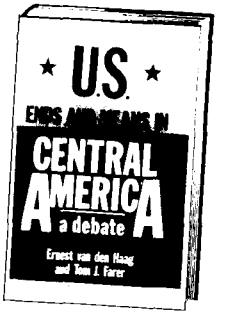

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timates the most Burkean of the Founders. The lead author of *The Federalist*, James Madison, himself less respectful than Adams of pre-democratic ages, does not appear in Kirk's 450-page book: the index skips from James Mackintosh to Sir Henry Maine. Kirk devotes four pages to democratic capitalism (which "demolished conservative ramparts"). And as for the influence of John Locke, Kirk has written (in *National Review*) that "Richard Hooker, directly or indirectly, had far more to do with the fundamental opinions of the Founding Fathers than did Locke."

Or take anti-Communism, generally regarded as a common denominator of the different brands of conservatism. Neoconservatives are anti-Communist because Communism is the enemy of freedom and democracy, paleoconservatives because it is the enemy of religion, tradition, and hierarchy. For neoconservatives the relevant distinction between East and West is not the distinction between atheism and belief (as it is for paleoconservatives), nor is it the distinction between socialism and capitalism (as it is for certain libertarians). The fundamental difference, rather, is that between totalitarianism and freedom. Thus neoconservatives reject Communism in favor of some version of liberal-democratic capitalism, while paleoconservatives reject it in favor of what Gottfried and Fleming call "historic nationalities." (What is meant by "historic nationality" is not entirely clear, though presumably it implies some variety of monarchy, theocracy, or other traditionalist societal arrangement.) Paleoconservatives are critical of neoconservative anti-Communism, which Gottfried and Fleming identify with "global democratic revolution." This vision of global democracy is "secularist" and "politically and sexually egalitarian," and thus "as far removed from a traditionalist world view as from Marxist-Leninism."[8]

THIS philosophical division also explains the difference between neo- and paleoconservatives in their attitude toward liberalism (in the original sense of that term) and its underlying ideals. Take equality. Neoconservatives contrast equality of opportunity, a central tenet of liberalism, with equality of result, which they regard as an essentially discriminatory and coercive, and therefore *ill*iberal, doctrine. Paleoconservatives are less apt to draw this distinction: they are suspicious of any principle bearing the name equality. Thus neoconservatives, by and large, are favorably disposed toward the civil-rights movement of the 1960's, but are critical of affirmative action, particularly when that term implies the use of quotas. In supporting the former and opposing the latter, neoconservatives are being entirely consistent—that is, consistently liberal: in contrast to the civil-rights movement, whose goals were a color-blind society and an end to legal discrimination, affirmative action requires a race-conscious society and a new form of legal discrimination.

Which is not to say that the paleoconservative view of equality is necessarily inconsistent. While neoconservatives regard affirmative action as a *perversion* of the ideals of the civil-rights movement, paleoconservatives see it as an *extension*: both the civil-rights movement and affirmative action have egalitarian goals; both are objectionable. Or as Gottfried and Fleming put it: "Unlike the neoconservatives, [the Old Right] remains irreconcilably opposed to . . . the principle of social equality." Thus neoconservatives tend to be respectful of Martin Luther King, Jr., whom they regard as a champion of liberal ideals, but not of Jesse Jackson, for example, whose ideas they regard as illiberal. Paleoconservatives, in contrast, for whom the relevant feature of each man is his egalitarianism (broadly defined), are respectful of

[8] The authors' claim that neoconservative anti-Communism rests on the "stated or implicit assumption that American democracy with its mixed economy is the supreme human good" is at best only half right. Certainly neoconservatives prefer liberal democracy to both Communist and traditionalist societies. Few neoconservatives would agree, however, that democratic capitalism is—or, indeed, that *any* political or economic system can be—the "supreme human good." And insofar as neoconservatives embrace liberal democracy, they do so not so much because it is best as because it is least bad: with Churchill, they regard democracy as the worst political system, except for any other.

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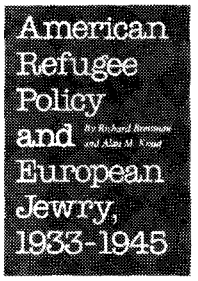

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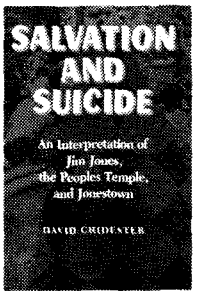

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neither. (Gottfried and Fleming think President Reagan's declaring King's birthday a national holiday represents a betrayal.)

If neoconservatives are defenders of the American liberal tradition, they are clearly not liberals in the sense in which that term is generally used today. For neoconservatives there are two kinds of liberals: genuine and counterfeit. The latter are men and women of the Left, who, in the last twenty-five years, have usurped the liberal label, leaving real liberals to be designated neoconservatives. These so-called liberals are illiberal in many respects: insofar as they support quotas in employment and education, they reject the liberal ideal of a society indifferent to race, gender, and ethnicity; insofar as they are inhospitable to certain views (particularly on college campuses), they show contempt for the liberal ideals of free speech and toleration of unpopular, heretical, or minority opinion; and, most important, insofar as they regard Communism as a lesser threat than anti-Communism, they betray an indifference to large-scale tyranny, the opposition to which once served as the very definition of liberalism.

Paleoconservatives, in contrast, do not distinguish between good liberals and bad; for them the phrases "great liberal tradition" and "liberal in the best sense" are merely oxymorons. Paleoconservatives regard liberalism—in all its forms—as intrinsically flawed, primarily because it is a secular and egalitarian tendency, insufficiently respectful of tradition. Thus, while neoconservatives draw a distinction between the liberalism of Franklin Roosevelt, Harry Truman, and John F. Kennedy, on the one hand, a liberalism representing a double commitment to progressivism in domestic policy and vigorous anti-Communism in foreign policy, and the anti-anti-Communist liberalism of George McGovern and his heirs, on the other, paleoconservatives see not disjunction but continuity.

A CENTRAL theme of *The Conservative Movement* is that American conservatism, under the influence of neoconservatism, has, in the last two decades, moved "left." (The authors, for example, write that the emergence of neoconservatism has had the effect of "shift[ing] the parameters of conservative respectability toward the center.") Rather than arguing that American conservatism has moved left, however, it might be more accurate to say that half of American liberalism moved left and half—i.e., the neoconservatives—stayed put. Or as Gottfried and Fleming themselves put it: "Neoconservatism . . . arose in reaction to what was regarded as a betrayal of purpose. . . . Democrats and young radicals [had] corrupted the great liberal tradition." In fact, "neoconservatism" is probably a misnomer—and doubly so: it is not particularly new, and it is not necessarily conservative (at least not in the classical or medieval sense). Perhaps "paleoliberalism" would be a better term.

And just as the 18th- and 19th-century liberals opposed the Tories and *ancien régime* to their right, and the French Revolutionists and socialists to their left, so too does neoconservatism stand in opposition to both (Old) Right and (New) Left. At this point in history the fundamental challenge to liberal democracy—both externally, in the form of Communist totalitarianism, and internally, in the form of an anti-anti-Communist academic/intellectual community—comes from the Left. Thus liberal democrats (a.k.a. neoconservatives) must devote their energy to countering attacks from this quarter. In different historical circumstances, however, in which the challenge came from the opposite flank, it is entirely conceivable that the friends of liberal democracy would make ready to do battle with the Right. In this regard, it might be helpful to think not of conservatives and liberals, but of liberal democrats and their opponents, on both Left and Right.

AN IMPLICIT thesis of *The Conservative Movement*—and an explicit thesis of previous essays by Old Right authors—is that neoconservatism is not an authentic conservatism, that it is insufficiently distinguishable from welfare-state liberalism. (Gottfried himself has written, in the *Intercollegiate Review* symposium, that one of the "common mistakes among interpreters of the current American Right" is "treating neoconservatives as genuine conservatives.") Yet neoconservatives might make a similar claim with respect to paleoconservatives. For if conservatism implies "presentism," if it means a defense of existing institutions, then there is reason to question the authenticity of a self-proclaimed American conservatism that readily identifies itself as a medieval tendency.

Indeed, it might with some justification be argued that it is neoconservatism, and not paleoconservatism, that is both genuinely American and genuinely conservative. In a brilliant 1957 essay in the *American Political Science Review*, Samuel P. Huntington, implicitly adopting the thesis of Louis Hartz's *The Liberal Tradition in America* (1955), argued that American conservatives must be liberals, that antiliberal American conservatism is an anachronism. "American institutions . . . ," wrote Huntington, "are liberal, popular, and democratic. They can best be defended by those who believe in liberalism, popular control, and democratic government. Just as aristocrats were the conservatives in Prussia in 1820 and slaveowners were the conservatives in the South in 1850, so the liberals must be the conservatives in America today."

Whether or not one is "truly" a conservative, however, ought not to be a matter of fundamental importance. More significant than what one is called is what one believes: labels matter less than principles. Thus liberal democrats should be willing to regard as friends those who are generally sympathetic to the principles of liberal democracy, regardless of what these individuals are called (or call themselves). And, conversely, liberal democrats should hesitate to regard as friends those who, irrespective of how they are labeled, are uncomfortable with, suspicious of, or hostile toward liberal-democratic ideals. Such discrimination is especially necessary at a time when liberal democracy has so few friends.

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Resisting the Elephant

AFGHANISTAN: THE GREAT GAME REVISITED. Edited by ROSANNE KLASS. *Freedom House. 519 pp. $29.95.*

AMONG THE AFGHANS. By ARTHUR BONNER. *Duke University Press. 366 pp. $27.95.*

THE WIND BLOWS AWAY OUR WORDS. By DORIS LESSING. *Vintage Books. 171 pp. $5.95.*

Reviewed by DANIEL PIPES

As the Soviet-Afghan war has continued year after year, it has taken a terrible toll in human lives. Out of a population of 16 million before the war began in 1979, more than 1 million civilians are dead, 5 million live in desperate conditions of exile (mostly in Pakistan and Iran), and 1.5 million have relocated within the country (mostly to the capital, Kabul). In other words, fully half the Afghan population has been killed, ravaged, or in other ways uprooted by the war, and that number grows all the time; the other half hangs on precariously in the crossfire of a deadly conflict.

Despite this immense human cost, rarely has the Afghan war made headlines in the United States or captured the American imagination —at any rate not until recently, when the Soviet Union indicated its qualified intention of withdrawing its military forces. But over the years a substantial literature on the subject has emerged, and in the last months alone a number of books have been published that help clarify what has been happening in that country.

Afghanistan: The Great Game Revisited is a collection of essays on the Soviet dimension of the conflict edited by Rosanne Klass of Freedom House. The 19th-century term "great game," popularized by Rudyard Kipling, sums up the contest between the Russian empire, seeking access to India and the Indian Ocean, and the British efforts to stop it. That game has changed in many ways: Communists now rule Russia, Britons have long since given way to Americans, and the Persian Gulf, not India, today constitutes the prize. But the game remains constant in some key respects: in particular, as is emphasized in nearly every one of this book's thirteen chapters, in the Soviet adherence to older Russian ambitions.

Of the many features of contemporary Soviet behavior that hark back to czarist times, perhaps the most important is that graphically described by an Afghan king in 1900:

> The Russian policy of aggression is slow and steady but firm and unchangeable. . . . Their habit of forward movement resembles the habit of the elephant, who examines a spot thoroughly before he places his foot upon it, and when once he puts his weight there is no going back, and no taking another step in a hurry until he has put his full weight on the first foot, and has smashed everything that lies under it.

That the Russians prepare very carefully before taking a step is borne out in the case of Afghanistan by their long-term planning between 1917 and the invasion in 1979—the subject of one fine chapter here. Two further chapters on Soviet economic interests in Afghanistan (which include hundreds of mineral deposits, all sorts of fuels, and much else) and a third on strategic interests make it clear why "there is no going back" even if troops are to be withdrawn. Essays on Soviet military operations, cultural policy, and human-rights abuses confirm that the elephant has already been smashing everything underfoot.

Three essays especially stand out in this well-organized and clear-sighted volume. Rosanne Klass's introduction provides perhaps the most persuasive case anywhere in print for why decent people should make the Afghan cause their own. Eloquently and with restrained passion she surveys every aspect of the war, from the Soviets' long-term geostrategic intentions to their widespread and gratuitous desecration of Afghan art. Perhaps most importantly, she shows how concerned the Soviet leaders are with world opinion, and therefore the extent to which the words and actions of Westerners have a direct impact. The Afghan *mujahideen* (fighters) are on the front lines, to be sure, but we too have a role to play.

In the second of these essays, Yossef Bodansky sheds new—and disturbing—light on the Soviet war effort. "The Soviet military appears to be delighted with its strategic and tactical gains resulting from the seizure of Afghanistan, and unconcerned about the costs," in part because those costs seem to be exceedingly low. Thanks to the resources pillaged from Afghanistan, the Soviet war effort has virtually paid for itself. As for casualties, Bodansky notes that current rates (from all causes) in Afghanistan are "well within the average of the Soviet armed forces"—and are regularly *lower* than those of some units on routine exercises and maneuvers. He writes that morale and dedication are strong among officers and NCO's, in part because they rise quickly through the ranks (this is, for example, how the new Minister of Defense, Dimitri T. Yazov, made his mark).

Bodansky believes the war has led to great improvements in Soviet military tactics. Thus, the 1984 switch from conventional forces to special operations he calls "the most profound and far-reaching"

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change in the Soviet armed forces since nuclear weapons were introduced. Also, in his judgment, the heavy Soviet use of chemical warfare in Afghanistan has created a dependence on this powerful weapon that virtually ensures it will be used again in future conflicts.

Finally, as Bodansky reads the map, the borders have already changed. A small part of Afghanistan, the Wakhan Valley, was brought under direct Soviet control in 1980 and is now part of the USSR in all but name. The northern provinces of Afghanistan, already integrated into the network of Soviet political, economic, and cultural institutions, are but a step behind.

If Bodansky consistently offers the most pessimistic gloss on events, far more optimistic is the assessment of Alexandre Bennigsen, a lifelong student of the Muslims of Soviet Central Asia. Bennigsen expects that the Afghan war will lead to serious troubles within the USSR itself. He sees the heroic fight put up by the *mujahideen* as a sign to the Central Asians that the Red Army is not invincible, and that their own future under Moscow's rule is therefore not immutable. The Central Asians may once have accepted and internalized the Soviet portrayal of Islam as a medieval relic; today, they believe it contains much more dynamism than the "dusty and bureaucratic" doctrine of Marxism-Leninism. A high-ranking Communist party official of Muslim origins told Bennigsen that "the resistance of the Afghan is for us the first gleam of hope since the Russian conquest." It is instructive to read these words against the sober analysis of Bodansky.

WHERE *Afghanistan: The Great Game Revisited* is a work of scholarship, Arthur Bonner's *Among the Afghans* is a superior work of journalism. Unlike those many newspapermen who have taken a quick trip into Afghanistan and then hurriedly announced their findings, Bonner devoted several years to learning about the country, researching the war, and traveling with the *mujahideen*. He has transformed his learning and experience into an eloquent and engrossing traveler's tale.

Bonner undertook his journey not for political reasons but—at the age of sixty-two!—out of the classic motives of the adventurer. "After years of a television desk job in New York, I wanted to be a foreign correspondent again." He got a commission from the New York *Times* and, in all, spent eight months inside Afghanistan on seven separate excursions.

The charm of *Among the Afghans* lies primarily in its evocation, 19th-century style, of the traveler's experience among an alien people. But these qualities cannot be captured in a review; they come out only in a full and intensive reading in which one can immerse oneself in Bonner's powerful account of his months in the crisp mountain air, where he suffered from intermittent ailments and always felt detached from his companions by language and cultural barriers.

Much of what Bonner found is little known in the West, such as the intense degradation of the Afghan environment and the deepening economic dependence of the Resistance forces on opium crops. Even the *mujahideen* way of life differs from common preconceptions of these so-called primitive fighters. When nothing better is available, the *mujahideen* do sleep in caves, but they prefer mosques or teahouses, small commercial establishments along the main supply routes. Similarly, while the *mujahideen* are indeed capable of walking long distances, they prefer to charter trucks, hop onto scheduled buses, hire taxis, drive tractors, rent motorcycles, and make use of captured Russian jeeps and four-wheel trucks. They even hitch rides.

BEYOND its fine descriptions of the *mujahideen* way of life, *Among the Afghans* provides a fund of information about the war itself. Bonner divides his assessment into two parts: the *mujahideen* military effort, and relations with civilians. Rebel strengths are well known: the decentralized nature of their effort ("They are so divided there is no target for the Russians to aim at"), their intense motivation ("If only one *mujahid* is left, he will fight the Russians"), and their warrior ethic. But tenacity alone is not enough; internal disunity and a complete absence of strategic planning hobble *mujahideen* capabilities. A former brigadier general now leading a rebel force stressed to Bonner the paramount need for a trained army, "not soldiers who sit around for two or three months, who eat and don't fight."

Bonner holds, in other words, that the *mujahideen* are exploiting only a fraction of their potential force. The Afghans' military record thus echoes their efforts at economic modernization in the 20th century: strong will and ambitious goals are accompanied by poor planning and chaotic execution.

In the end, however, Bonner regards the military balance as secondary, for the war in Afghanistan itself is not strictly military. As Alain Chevalerias, a French reporter with five years' experience in Afghanistan, has put it, "This war is 75 percent political and only 25 percent military." What began as a stark armed confrontation has, with the years, become an intricate competition for allegiance. This explains the conflict's many gray areas, what Bonner calls "curious examples of live and let live." Thus, spare parts for a hydroelectric dam run by the *mujahideen* come from Kabul. Afghan army outposts and *mujahideen* camps coexist here and there, and almost all of Hazarajat, the Shi'i region at the center of the country, is neutral territory.

These complexities point to the conflict's true center of gravity, which has little to do with the number of villages destroyed or helicopter gunships shot down, or, for that matter, with the direction of Pakistani or American policies. Echoing the conclusions of Olivier Roy, the well-informed French anthropologist and author of *Islam and Resistance in Afghanistan*,* Bonner argues that the fate of the country lies with the actions and political choices of the civilian, non-*mujahideen* population still resi-

* Cambridge University Press, 253 pp., $24.95.

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dent in Afghanistan. Will it aid the Resistance or the Kabul government, or will it opt for neutrality? If Soviet forces withdraw, to which groups will it give support?

The Soviets also appreciate the centrality of civilian Afghan opinion. After early blunders, they quickly realized they would win the war only by attracting enough internal support to make life difficult for the *mujahideen*, and so they changed their ways and tried not to alienate the populace. With the exception of the 1984 campaign in Panjshir, Bonner notes, the Soviets have not engaged in carpet bombing, but concentrate their fire on *mujahideen*-related targets. Soviet atrocities still abound, but they have a political purpose and are not indiscriminate.* Moscow can never hope to win the population's active sympathies, but it does not need to; acquiescence suffices.

PERHAPS even more critical than Soviet behavior toward the Afghan populace is *mujahideen* treatment of civilians. Clearly, there are many tensions: Bonner recounts how in one case, peasants pressed some fighters to leave their village (for fear of Soviet aerial attacks), then exploited *mujahideen* neediness to extract a premium price for a sickly donkey. When Bonner's group tried to get into a mosque for a night, the elders refused to hand over the key. The *mujahideen* are capable of acting in a similarly ungenerous way: when a village building used as a party headquarters was bombed, and the nearby houses were ruined, the villagers got no help for repairs.

These tensions should not be exaggerated. More noteworthy than a refusal to hand over keys to a mosque or an attempt to overcharge for an ailing donkey is that the *mujahideen* do not impose their will through force (although it would be easy to do so). They understand that their own victory depends ultimately on the villagers' remaining in the countryside, and brutality toward the civilian populace would thus undercut their ability to battle the Red Army.

For this reason, the *mujahideen* show remarkable forbearance. On one occasion several of Bonner's companions stripped ears of corn from a nearby field and cooked them over a fire. "Two farmers saw them and came running brandishing their hoes as weapons. Razar Khan [the group's leader] intervened to calm them . . . [and] gave them some money to placate them. They took the money but did not seem happy." The point here is not the clash between the two parties but the fact that the farmers felt confident enough to brandish their

* Unfortunately, this observation reflects the limits of Bonner's experience more than the restraints on Soviet brutality. As Jeri Laber and Barnett R. Rubin chronicle in *"A Nation is Dying": Afghanistan Under the Soviets, 1979-87* (Northwestern University Press, 162 pp., $22.95), the very many human rights abuses have not decreased in recent years.

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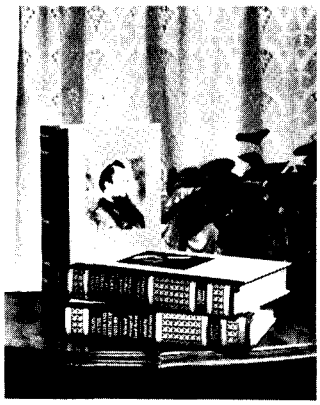

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hoes against the very heavily armed *mujahideen*. About *mujahideen* relations with civilians in general, Bonner writes: "Theirs is a moral and ethical war, fought according to Islamic codes that everyone knows and respects. This explains why there are no death squads or torture chambers."

Still, relations do seem to have degenerated as the fighters have grown frustrated and civilians have become weary. A former professor at Kabul University explains rhetorically:

> Seven years ago, the *mujahideen* were called angels and were respected as saints. When a *mujahid* walked the streets, old men collected the dust from his footprints and kept it in their houses as sacred. . . . Now a *mujahid* has to knock many times on a door. An old man will come out and will look at him in a hateful manner and will close the door.

Bonner worries especially about the war lords who neglect the educational, medical, and economic interests of their subjects. More generally, he notes, "the weakness of the jihad is that it lacks a positive political program to meet the needs of the community . . . except for a few schools in Amarakh, I did not see a single program to help civilians."

Also worrisome are the deep and lasting divisions in Afghan society —Sunni and Shi'i, city and country, nomad and farmer, trader and robber, one valley and the next. In contrast to Olivier Roy, who holds that "the spiritual growth of the people [in the course of the war] is a striking phenomenon," Bonner perceives a continuation of age-old disunity.

Not every new book on Afghanistan meets the high standards set by Arthur Bonner and Rosanne Klass and her contributors. *The Wind Blows Away Our Words: A Firsthand Account of the Afghan Resistance* by the well-known novelist Doris Lessing is so flawed a work that it may actually diminish one's understanding of the war. If the book deserves attention at all it is not just because Mrs. Lessing is a major writer, here acting out of an admirable motive, but because her account does contain one unexpectedly redeeming feature.

To begin with the flaws: the book rests on a basic deceit, for despite Mrs. Lessing's claim to be providing a "firsthand account of the Afghan resistance," she never set foot in Afghanistan, never traveled with the *mujahideen*, and did not witness a single battle. The whole of her very brief visit was spent in Pakistan. Most of *The Wind Blows Away Our Words* consits of Doris Lessing's thoughts as she sojourned in a dirty, poor, but romantic locale, and a more accurate subtitle for the resulting volume would be: "A British feminist's reaction to Pakistan."

Mrs. Lessing does not even achieve what one would expect of a renowned novelist, namely, an affecting or memorable evocation of the Afghan people. Those she did meet remain pallid figures trapped in their cultural roles, stereotypes rather than individuals. She also mangles the interpretation of their culture. For example, she decides that the emphasis on male honor and courage is just a misguided public-relations ploy, observing (in a classic instance of cultural imperialism) that the *mujahideen* "have no idea how to present themselves sympathetically to the Westerner, going into all kinds of heroic postures, talking about martyrdom, dying for their faith, Paradise with maidens and pretty boys and wine, and so on and so forth."

Mrs. Lessing's facts are a calamity. She has World War II lasting four years and the Prophet Muhammad's grandsons murdered in the 5th century (Muhammad was born in 570). Only a cavalier disregard for detail could turn Harakat (the name of a political party) into the exotic-looking Hiriquat. Most bizarre of all, she concludes from the presence of biblical names among the Afghans, from Hebrew inscriptions on their gravestones, and from certain Jewish customs among them that the Afghans "are, in short, Jews." (By conventional reckoning, more than 99 percent of Afghans are Muslim; the Jewish population of the country amounts to just a few thousand souls.)

She even distorts the one thing she actually saw—life in the refugee camps—stating that refugees must join one of the Afghan political parties in order to gain access to the food and other aid provided by international donors when in fact it is the United Nations High Commission for Refugees with whom they must register. As Radek Sikorski observed in a review of this book, "Mrs. Lessing is good on atmosphere, on what it feels like to be a confused journalist."

Other inaccuracies are more serious, and actually set back the *mujahideen* cause. Here is Mrs. Lessing's picture of the way in which KhAD, the Afghan secret police, gathers intelligence: "There are hotels and bars [in Peshawar] where journalists congregate. KhAD agents, who have placed themselves just behind you, their backs to you. tilt their chairs toward you, as in a comic opera, if some subject of interest is introduced." Contrast this light scene with Barnett R. Rubin's harrowing account (in the Klass volume) of the Pul-i Charkhi prison in Kabul, where KhAD uses rather more determined methods of extracting information, including beatings, death threats, pulling out hair and fingernails, near-drownings, sleep-deprivation, strangling, and, most commonly, electric shocks.

The Wind Blows Away Our Words has all the ingredients of that unfortunate new genre, the "snap" book. In it, a famous writer spends a week or two in a political hot spot and writes an impressionistic account to further a cause. The genre calls for thick paper, large type, and lots of padding. Yet for all these deficiencies, Doris Lessing's book has its moments, and the last chapter, "The Strange Case of the Western Conscience," represents a startling, even important, *cri de coeur*—especially when one recalls that this writer spent many years as a pro-Soviet Communist and even after leaving the party (in 1956) went on to embrace the sort of trendy leftism that so dominates British intellectual life.

"It is almost impossible," Mrs. Lessing now writes, "to raise [the issue of the war in Afghanistan]

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without being accused of being 'reactionary'—so polarized have our responses become, and I feel a sort of despair even trying." For Mrs. Lessing, the Left's effort to blame the U.S. government for the KAL 007 shoot-down, its display of greater outrage over Three Mile Island than over Chernobyl, and its systematic neglect of Afghanistan in contrast to its obsession with Nicaragua are all part of the same dishonorable phenomenon. She wonders how the Soviet Union, "the most brutal, cynical regime of its time," could have been "so admired, excused, by people describing themselves as humanists, humanitarians, democrats, and long after its true nature was thoroughly exposed." Mrs. Lessing is not exactly the first person to raise these points, but her stature on the literary Left endows them with unusual weight.

How will the Soviet-Afghan war turn out? Many observers, pointing to the Geneva negotiations recently under way, conclude that the fighting is nearly over. But a careful analysis of recent Soviet maneuverings suggests that Moscow's real intention is to gain control over Afghanistan through more subtle, more political tactics than those used during the past decade.

This being the case, the question remains: how will the military confrontation develop? The answer seems to depend on one's vantage point. A specialist on the Soviet military might see matters as does Yossef Bodansky:

> Since mid-1980, the [Afghan] Resistance has never constituted more than a tactical inconvenience to the Soviets. . . . In strategic terms—the consolidation of Soviet control over Southwest Asia—the Afghan Resistance has had little or no impact. Currently, the Resistance is a negligible force in Soviet calculations of the regional dynamics.

In contrast, those who best know the *mujahideen* see the war as still an open contest. Olivier Roy categorically asserts that "there is no possibility of the Resistance being crushed by might." For him, as we have seen, the outcome of the war hinges on political relations among the Afghans. Should the Soviets succeed in dividing the *mujahideen* from the civilian Afghan population, even if it takes decades, they will win; but the *mujahideen* will win if they can unify the populace behind their efforts to expel the Soviets. So long as neither side attains its goal, the war will continue without resolution.

Which of these views is correct? The longer historical perspective strongly suggests that Moscow will not abandon the fight for control of Afghanistan. The larger geographic perspective suggests, too, that the Soviets already have gained much of what they want there—cities, air bases, minerals. Yet it would be a grave error, on the basis of this analysis, for the West to give up on the *mujahideen*, and a moral tragedy if their effort were doomed on account of Western pessimism. Even if, in the end, the Soviets do prevail, it is in the Western and particularly the American interest to make their task as prolonged and costly as possible. Therefore, the lesson is to respect the pessimists but to heed the optimists.

This lesson has obvious implications at a moment when the Kremlin seems to be indicating that it is prepared to withdraw forces from Afghanistan. Soviet leaders have dissimulated many times before on this issue, and they have good reason to do so now. Promises to evacuate the Red Army offer the cheapest way to weaken international support for the *mujahideen*, as well as the surest means of provoking civil war among the fighters themselves. Unless and until the Soviets take measurable steps toward long-term disengagement, it would be foolhardy to make any concessions to them of a political nature, and even then the utmost care must be taken not to dissipate prematurely the fragile strengths of the *mujahideen*.

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The Law as Teacher

ABORTION AND DIVORCE IN WESTERN LAW. By MARY ANN GLENDON. *Harvard University Press. 224 pp. $25.00.*

Reviewed by DANIEL CASSE

NEARLY twenty years ago, a movement was undertaken to modernize two major areas of family law, abortion and divorce. At the time, advocates of both no-fault divorce and abortion-on-demand heralded the sought-for changes as a victory for individual rights: the right of a woman to terminate her pregnancy and the right of a spouse unilaterally to terminate a marriage. Today, both the fractious debate over abortion and growing discontent with the debilitating effects of divorce on women and children suggest that these legal developments have not been quite the boon for American society that their initial sponsors thought they would be.

That there is something askew with the American "solution" to these problems is suggested by Mary Ann Glendon's extraordinary study. Professor Glendon, who teaches at the Harvard Law School, shows that as compared with Europe and Scandinavia, American law concerning abortion and divorce is consistently on the far, libertarian end of the legal spectrum. In light of our reputation for social puritanism, this is, to say the least, ironical; in Professor Glendon's view it is also responsible for fostering an ongoing battle between the rights of individuals and the interests of society.

As she understands it, the American problem lies not in bad law but in the way we have come to think about law and the role it should play in our lives. That way of thinking is best expressed in the language of modern liberal theory, according to which each person must be treated as an "unencumbered self" whose "personhood is inviolable." Law, according to this view, should not articulate a desired way of life, but should be so constructed as to allow individuals to choose their own way of life for themselves. Virtually abandoned is the idea that law should be educational, that it should tell us something about the subject it regulates.

The courageous goal of Mary Ann Glendon's book is precisely to try to resurrect the idea of law as educational, an idea embraced by political thinkers going back to Plato. For guidance, she turns to Europe, where the laws pertaining to abortion and divorce manage to exhibit respect for individual rights while also seeking to shape a socially responsible policy.

With regard to abortion, recent American practice, as exemplified in the 1973 Supreme Court decision, *Roe* v. *Wade*, has been to couch the debate entirely in the rhetoric of rights, whether those of women ("pro-choice") or those of the fetus ("pro-life"). The pro-choice movement in particular maintains that any shift away from *Roe* v. *Wade* would lead immediately to "back-alley abortions." Yet Professor Glendon's survey of European law shows just how false such a belief is.

In France, for example, a 1975 law made abortion available up to the end of the tenth week of pregnancy to any woman "whose condition places her in a situation of distress." Since "distress" is never defined, the pregnant woman becomes the sole judge of what it means. The French restriction on abortion would therefore seem to be merely symbolic: any woman who claims to be in distress, for whatever reason, can get an abortion. But as Professor Glendon points out, it is precisely through the symbolic and hortatory functions of a law that the state can promote a view without forcing everyone to adhere to it. Thus, another part of the same law announces that "the voluntary termination of pregnancy must under no circumstances constitute a means of birth control." Once again, although the state does not forbid a woman from using abortion as a method of birth control, it attempts to discourage such practice by terming it undesirable. The idea behind this type of legislation, argues Professor Glendon, "seems to be simply to try to make sure everyone knows that abortion is considered to be a serious matter."

If abortion is a serious matter, if it is more than just a "preferred lifestyle," as the late Justice Douglas put it, then the Supreme Court has given us no indication of how we might think about it other than as a serious matter of privacy. The West German Supreme Court, by contrast, while not ruling out all liberalized abortion legislation, has insisted that such legislation avoid "the false impression . . . that termination of pregnancy involves the same social [significance] as, say, a trip to the physician for healing an illness, or even that it involves a legally irrelevant alternative to contraception." To Professor Glendon, this statement suggests that the West German court, unlike the American, has been willing to confront the fundamental question of the circumstances under which it may be legally permissible to take a life. By avoiding that question, the U.S. Supreme Court turned the abortion debate into an all-or-nothing struggle over "rights."

As Professor Glendon readily admits, her own approach—which amounts to a search for what law can do to permit abortion without undue harassment and at the same time communicate the idea that abortion is a crucial moral issue—may never satisfy the ardent pro-life or pro-choice advocate. Yet it does attempt to replace the feverish debate over whose rights are being violated with a more reasoned discussion about the grounds and conditions under which abortion might be deemed legal.

THE tendency of American law to be neutral on the very things about which society cannot afford to be neutral is also seen in divorce legislation. Since California passed its "no-fault" divorce law in 1969, nearly every U.S. state has adopted some version of it. Yet once again the United States, this time along with Canada and Sweden, finds itself on the extreme end of the legal spectrum. In Britain, France, and West Germany, where laws regarding divorce are lenient by anyone's

DANIEL CASSE *is associate editor of the* Public Interest.

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standards, a judge may still dismiss a divorce petition if he is persuaded that the dissolution of a marriage would result in undue hardship for one spouse. The absence of such a clause in American law has created exactly what European lawmakers have tried to prevent, namely, divorces that grant child custody to one spouse, usually the wife, but without the necessary financial support she has depended upon while married.

Professor Glendon also points to a second, albeit less direct, consequence of American divorce law: the shortness of the route from "no fault" to "no responsibility." The individual-rights language of divorce legislation, which was supposed to take the moralism out of the law, has simply established a more subtle but no less powerful teaching: "Marriage is a relationship that exists primarily for the fulfillment of the individual spouses. If it ceases to perform this function, no one is to blame and either spouse may terminate it at will." By effectively putting an escape clause into every marriage contract, the new legal attitude has radically undercut the traditional American notion of marriage "till death do us part."

TO BE SURE, Professor Glendon is not advocating a rollback of American family law to some traditional standard. As she tells it, the lesson of the European experience is that updating and modernizing statutes do not require throwing aside the moral authority of the law itself. The false promise of the abortion and divorce reform movements was that by transferring the moral questions from lawmakers to the individuals involved, the state would be constrained from imposing its values on men and women who did not share them. But the new, supposedly neutral, laws do in fact send a very distinct message. They tell us, writes Professor Glendon, "that if a marriage no longer suits our needs, or the continuation of a pregnancy would not fit in with our plans just now, we can choose to sever the relationship." The damaging consequences of this message should now be clear: a nation bitterly engaged in a fight over abortion and over a divorce law that imposes hardship on the very parties that looked to it as an engine of liberty. *Abortion and Divorce in Western Law*, a serious and compassionate book, shows us that another way is both possible and eminently sensible.

In Praise of Pilpul

MIDRASH, MISHNAH, AND GEMARA: THE JEWISH PREDILECTION FOR JUSTIFIED LAW. By DAVID WEISS HALIVNI. *Harvard University Press. 164 pp. $22.50.*

Reviewed by DAVID SINGER

THE story is told of an overzealous scholar of the Talmud who came up with a brilliant answer and then searched for a question—any question—to which to attach it. The story self-mockingly points up a fundamental trait of Talmud study in the traditional mode: the constantly reiterated process of analysis, explanation, and justification. In the world of the yeshiva this goes by the Hebrew name *pilpul* ("pepper," denoting sharpness), but David Weiss Halivni prefers the English term "justified law," and in this very slim but very erudite volume he argues that the "predilection for justified law" is already manifest in the basic documents of the Jewish tradition.

Halivni (who was born in Czechoslovakia in 1929, was deported to Auschwitz in 1944, and came to the United States in 1947) is extremely well suited by background and training to deal with his chosen theme. On the one hand, he is a master of traditional talmudic *pilpul*. On the other hand, as a longtime professor of rabbinics at the Jewish Theological Seminary, and now as a professor of religion at Columbia, he is a leading exponent of a critical, scientific approach to the study of the Talmud, an approach that readily incorporates the findings of modern literary and historical scholarship. The full

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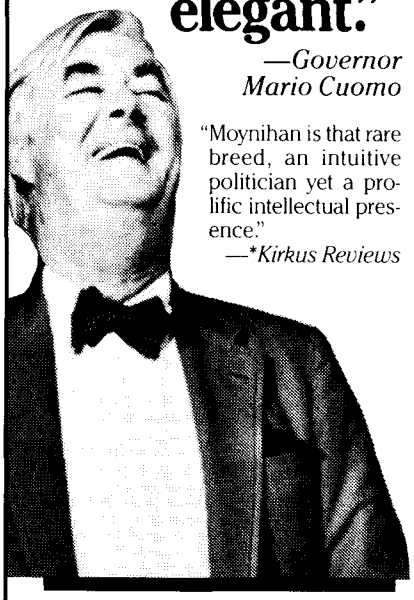

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CAME THE REVOLUTION

Argument in the Reagan Era

by Daniel Patrick Moynihan

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range of Halivni's critical enterprise is set forth in a multivolume Hebrew work—still in progress, four installments having appeared to date—entitled *Sources and Traditions*, in which he engages in a painstaking process of historical reconstruction in an effort to recover the original rabbinic sources that lie behind (and are contained within) the text of the Talmud that has come down to us.

According to Halivni, a predilection for justified—or, as he also calls it, "vindicatory"—law existed from the very beginnings of Judaism. It showed itself first in the Bible, especially in the many "motive clauses," i.e., subordinate sentences in which the biblical text offers a motivation or reason for a commandment and thereby "signifies that it reckons with the will of the people to whom the laws are directed." In the immediate post-biblical period, justified law appears again in early commentaries, or midrashim, containing legal material derived from biblical verses. But the 2nd-century code of Jewish law known as the Mishnah marked a break from this pattern, substituting for the older biblical mode an "apodictic" mode of "categorical pronouncements" without "justification or reason." This break might have proved historically decisive had it not been for the active intervention of the Stammaim, the anonymous scholars whom Halivni (though not others) credits with redacting the talmudic text. The Stammaim restored justified law to a central place within the Jewish system, thereby influencing "subsequent rabbinic learning up to this day."

In the two chapters of *Midrash, Mishnah, and Gemara* devoted to the activity of the Stammaim, Halivni goes out of his way to underscore the creative, indeed heroic, nature of their enterprise. Championing the view that "Jewish law must be justified, if not biblically at least logically," the Stammaim "set out to reclaim what was left of the argumentational material from previous generations and to redact it." This proved to be a daunting task, since much of what had survived was "cryptic and truncated." The Stammaim "provided lengthy explanatory notes, completed defective statements, and supplemented the text with passages of their own."

In their zealous commitment to justified law, the Stammaim went so far as to introduce rhetorical elements, pseudo-dialogue, and fictionalization. The end product of their labors, known as the Gemara —the post-Mishnaic portion of the Talmud—weaves together material of "enormous richness and variety" into a "flowing discourse." It is thanks to their labors that argument in the Talmud is "colorful, pulsating, outreaching, often presenting an interwoven and continuous discourse with a distinct, identifiable style of its own."

Midrash, Mishnah, and Gemara is a work of exacting scholarship, but the volume is also animated by a deep sense of Jewish pride. Halivni clearly delights in reporting the major "discovery" of his research: "Jewish apperception since the time of the Bible favored justificatory law." His message, in short, has to do with the essential humanism of Jewish law, "law that is expressly reasonable, that seeks to win the hearts of those to whom the laws are addressed." It is surely his desire to convey this message widely that accounts for his decision in this instance to write and publish in English.

While Halivni is generally persuasive in depicting the Jewish legal tradition as actively seeking "man's approbation," he does appear to overstate his argument at points. Halivni himself admits that most laws in the Bible "do not have supporting motive clauses." Moreover, it is not clear why such statements as "I am the Lord" or "So spoke the Lord" should be considered motive clauses, or how they constitute evidence for the contention that God is "interested in man's opinion, that He seeks man's approval."

If the Bible may thus be more apodictic than Halivni allows, the Mishnah may be less so. Such, at least, may be inferred from the writings of Jacob Neusner, and particularly from his recent *Judaism: The Evidence of the Mishnah*. Neusner maintains that the Mishnah is properly read not as a law code but as an extended philosophical essay on the interaction of human intention and divine creation. Given Neusner's standing as a leading, if controversial, scholar of rabbinic Judaism, it is unfortunate that Halivni fails directly to confront his views.

Perhaps more important than the issue of justified law as a historical fact in the Jewish tradition is the issue of justified law as a value. Halivni takes it for granted that religious law should ideally include a strong justificatory element. Certainly this makes sense from a humanistic point of view, but it may be less compelling from a purely religious standpoint. After all, it is God Who stands at the center of the Jewish faith and it is His commanding voice that is presumably heard in Jewish law. Why then should it be necessary for God to explain Himself? Is not His sovereign will supreme? Such a notion, quite clearly, is not altogether alien to the Bible (see the story of the binding of Isaac) or the rabbinic writings (as in the talmudic statement, "Greater is he who is commanded and obeys than he who is not commanded and obeys"); the fact that Halivni completely ignores it weakens his overall argument.

Yet another point should be mentioned in this context. As important as the distinction between apodictic and vindicatory law may be, it by no means exhausts all the possibilities. In a fascinating book, *The Body of Faith*, Michael Wyschogrod stresses the difference between the "story form" of the Bible and the "legal systematization" of the Mishnah and the Gemara. In the Bible, Wyschogrod points out, there is a direct encounter with the living word of God, and this, of necessity, acts as a brake on "Jewish halakhic rationality." In the rabbinic writings, by contrast, "God is somewhat absent"; revelation has come to an end, and "Jewish faith confronts what [God] has left behind to guide the people." This permits reason to come "into its own," confirming "the self-confidence of Jewish existence as a human enterprise" even as it preserves Jewish "self-understanding

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. . . as the people of election ruled only by God."

Still, while Halivni has clearly not offered the final word on his subject, he has greatly advanced our understanding of it. *Midrash, Mishnah, and Gemara,* like all of Halivni's scholarly writings, combines boldness and originality of thought with a careful sifting of evidence, posing sharp questions and offering provocative answers that encourage the process of argument to continue.

Mythmaker

SHOWDOWN. By JORGE AMADO. Translated from the Portuguese By GREGORY RABASSA. *Bantam. 422 pp. $18.95.*

Reviewed by GEORGE RUSSELL

BRAZIL is a marvel, a continent-country that exists simultaneously in the late 20th century and the mid-19th. Like India, but less bellicose, it is an ungainly, shambling, fragile Third World power. In the country's southeast, an inventive, pragmatic people sell light tanks to Iraq, send Mercedes Benz trucks to the North American market, and dream expensive dreams of nuclear self-sufficiency (and perhaps, some day, a bomb in the basement). In the north, sweeping all the way over to the west: drought, poverty, landlessness, and an immense birth machine that powers vast migrations. These, in turn, fill urban slums, set off Wild West shootouts over Amazonian land claims, knock down rain forests, open up a still unpeopled interior.

Viewed from within a contracting sphere of American strategic concern, Brazil nowadays appears —when it appears at all—largely as *carnaval* plus $113 billion or so in foreign debt. Viewed in its own terms, however, the country is undergoing an explosive transformation that could easily continue for another fifty years.

Countries in this kind of tumultuous adolescence batten on myths, those they want to believe of themselves and those they want others to believe of them. In the case of Brazil, the mythmaker who has lived most comfortably at this crossroads for decades is Jorge Amado, now seventy-five and described on the dust jacket of *Showdown*, his latest novel, as "Brazil's greatest living literary institution." Not as great an accolade as one might wish for, perhaps—but still, there are the millions of books sold, the translations into forty-six languages, the sensuous, picaresque images of *Donna Flor and Her Two Husbands* and *Gabriela, Clove and Cinnamon.*

These were the books that brought Amado worldwide (i.e., North American) fame—comic novels that condensed an image of Brazil itself as a libidinous, free-spirited female principle: poor but passionate, sexually inexhaustible, available for everyone's taking yet possessed of a sensibility that ultimately allows no fetters. Above all, color-blind: Amado exalts miscegenation, the fusion of Brazil's Indian, European, and African (pre-

GEORGE RUSSELL *is a senior editor at* Time *and a former chief of its South American bureau.*

Guns & Barbed Wire: A Child Survives the Holocaust by Thomas Geve

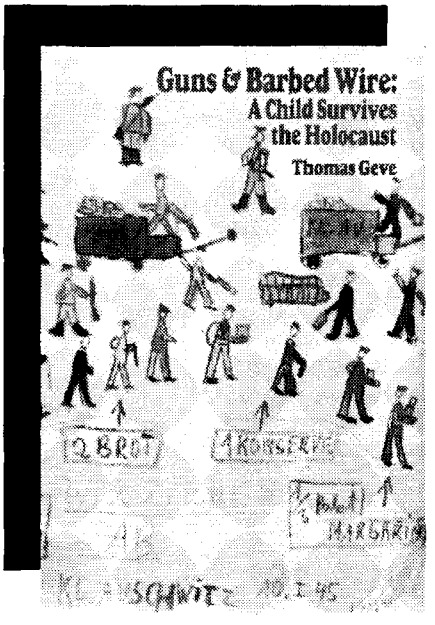
"The drawings have a helpless charm. They compose on the page and cannot help forming patterns...he writes of the lushest yearning...What his book leaves us with is a boy's passion for being a boy, being young, meaning to live. All the devils on this earth could not prevent him. And with colored pencils he bears witness...But I am getting fancy. Thomas Geve shocks me back to having to know that it was."

—Lore Segal
The New York Times Book Review

"One of the most stirring books which ever came out of Europe's darkest days...told with simplicity, skill and great warmth."

—Hans Habe

ONLY TWO GERMAN BORN CHILDREN were known survivors of Buchenwald. One of them was 15-year-old Thomas Geve who had spent nearly two years in Auschwitz, Gross-Rosen and Buchenwald, where he was liberated by Allied forces in April, 1945.



Too weak to leave immediately, Geve spent time drawing color pictures of daily life in the camps. And in 1958 he wrote his memoirs in English which were published, without illustrations, only in Israel. This new U.S. edition includes 17 full color pictures drawn by Geve with stumps of colored pencils left behind by the Nazis.

The strength and uniqueness of GUNS & BARBED WIRE, as Lore Segal points out in her review, is the lively, matter-of-fact, youthful tone which will not be denied. And somehow, incredibly, amidst unspeakable suffering, he manages to give us an impassioned affirmation of life.

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—*Journal of Modern History.* $12.50

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dominantly Yoruba) strains as the basis of Brazilianness itself. In the most profound sense, Amado is a cultural nationalist, one whose literary images pay constant homage to a culture and a nation in the process of gestation.

The passage of Amado into international literature and acclaim has gone hand in hand with his acceptance as Brazil's Great Silver-Haired Radical. A Communist adherent half-a-century ago, when the Maoist-style armed struggle of the Brazilian Communist party was as big a legend as the exploits of Nicaragua's Augusto Sandino, Amado has remained a lifelong militant leftist. Before he fell into the mode of the picaresque, he wrote bitter, social-realist tales about murder and land-grabbing in the cacao plantations of Bahia. These stories helped to earn him the Stalin Peace Prize in 1951, and have kept him on the Soviet charts of progressive literary internationalism.

But the days when virulent radicalism led to occasional exile—where would Latin American literature be without Paris?—are over. Now there is a Jorge Amado cultural center in his beloved city of Salvador da Bahia; Brazilian television long ago launched an evening soap opera based on *Gabriela*; a feature film also based on the novel is currently in production. Still voluble enough, Amado has nonetheless been absorbed into the mainstream.

So much has this been the case that he seems to have been submerged for most of the past decade and a half. Thus it was something of a surprise when Bantam, with considerable fanfare, unveiled the English translation of the master's latest novel, beating the literary drums no less loudly here than they had sounded in Brazil when the book first appeared, under the name *Tocaia Grande,* several years earlier. Amado in former days used to be mentioned in tandem, say, with John Steinbeck; was he now being resurrected to play the role of Brazil's James Michener?

There is more than that to be said about this tangled, elegiac sprawl of a novel. *Showdown* is a disorderly, gloomy work, heavily salted with comic flashes. At times it has the appearance of being no more than a rehash of some of the author's prior motifs: untrammeled randiness; whores and thieves turned everyday heroes; the frantic, comic life of the poor and dispossessed. But there is considerably more going on here. In *Showdown,* Amado has returned to some of his earliest, most radical concerns, confronting Brazilian society, memory, and mythmaking, and aiming to show, by anecdote, how the Brazil of the modernizing present has buried its (criminal) past.

The criminality of bourgeois history is Amado's most important concern. Its epicenter for his purposes is the (fictional) modern city of Irisopolis, "a community born out of the rainbow on a distant day of well-being, peace, and brotherhood among men." On the town's 70th anniversary, the narrator (Amado) asserts, its actual origins have already been forgotten, along with its original name, Tocaia Grande, the Big Ambush. For this settlement has sprung not from "well-being, peace, and brotherhood" but from a mass murder in a war between cacao colonels of the northeast, a war in which the gunmen of one side, led by a part-Indian foreman named Natario da Fonseca, have waylaid and massacred the hired killers of another. In the ensuing period of peace and economic consolidation Natario has asked for, and gotten, the area around the ambush site as a subordinate fiefdom.

Natario has a vision: this will someday be a thriving town. But for the petty brigands, runaway black servants, and countless prostitutes who drift into Tocaia Grande, the future does not exist. There are only the hypnotic urgings of sex and the drudgery of work—often, for the women, one and the same thing. Still, no life, however lowly, is totally unredeemed. As Amado puts it, in one of *Showdown*'s few quasi-philosophical statements: "Every living person, no matter how miserable and dispossessed, how sad and lonely, has the right to a quota of joy; there's no destiny made entirely of bitterness. The cost, the price to be paid, doesn't matter."

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Tocaia Grande is a settlement without historical consciousness of any kind: there is only one calendar in the place, and it is useless, since days have been torn off arbitrarily. No one knows when Sunday is, or Brazil's independence day. Anyway, for most residents, "the story of independence was sheer drivel, vague and abstract, beyond any comprehension or importance." What abstract consciousness the settlement has belongs to a Lebanese Maronite peddler, Fadul Abdala, known as the Turk, who sets up shop amid the squalor and, with his own vision of the town's future, provides a petit-bourgeois voice of a kind that crops up more than once in Amado's novels and upon which he lavishes a certain sympathy.

Bandits attack Tocaia Grande and are driven off by whores; a flood ravages the town and kills ten; fever kills many more. But as a town resident remarks at the book's beginning, no frontier affliction is deadlier than the law. When it arrives, Tocaia Grande is doomed. As the scabrous residents of the settlement struggle to build their town, the family of the feudal cacao colonel who granted the site slips into decadence. When the old man dies, his son, a lawyer, takes back the ground with the help of deputized gunslingers. The epic of Tocaia Grande begins and ends in massacre.

THE profoundly rebellious point of this abrupt, sometimes glowering novel is that no matter how it is currently disguised, justice does not exist for the people of Brazil. In the American sense of the frontier this is anti-mythmaking: when the sheriff arrives, justice disappears.

Amado is certainly not alone in taking this view of his ridiculously overregulated, still-corporatist country. Getulio Vargas, the Brazilian dictator of the 30's, once famously remarked, "For my friends, everything. For my enemies, the law." But the resonance of Amado's work in its native context cannot be overestimated. It speaks for a powerful, restless populism that equates right with might, and argues that there can be no justice without insurrection. For this dark revolutionist message alone the book should not be dismissed. Although as a novel *Showdown* does not have the romantic savor of *Donna Flor*, it remains an engaging, cynical, and significant work by a still-angry Old Left master.

Feminist Fallout

THE FAILURE OF FEMINISM. By NICHOLAS DAVIDSON. *Prometheus Books. 392 pp. $24.95.*

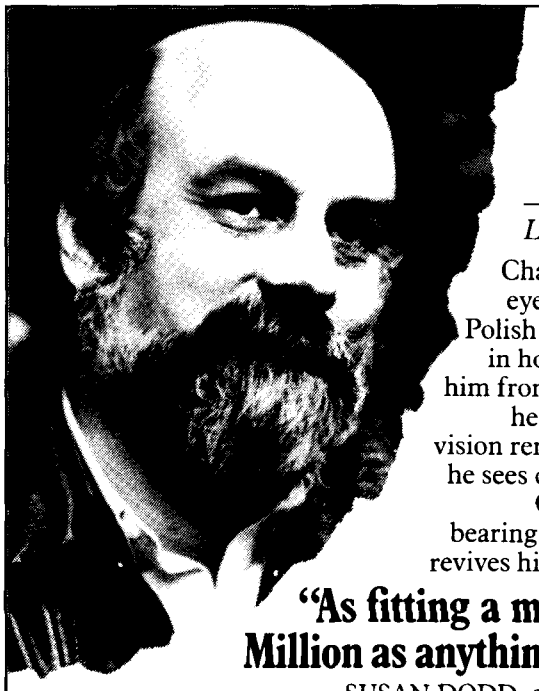
FEMINISM AND FREEDOM. By MICHAEL LEVIN. *Transaction Books. 336 pp. $39.95.*

Reviewed by CHARLOTTE LOW

DURING THE mid-1970's I was briefly a low-rung associate attorney for a corporate law firm. It was one of those career mistakes, for both me and the firm. Once, toward the end of my short tenure, a partner handed me a file and said, "Charlotte, here's an assignment I know you're going to like." The assignment consisted of drawing up the articles of incorporation—or, rather, opening up a form book and copying out the articles of incorporation—for an entity with a name something like "First Women's Bank." (The institution has long since gone out of business, merged with another financial institution, or changed its name.)

The partner's remark has stuck in my mind because of his implicit assumption that since I was a woman, I had to be a feminist, and would just love the idea of a women's bank. In truth, I was already finding feminism a big bore. Did I really have to pay my own way on dates? Why were men elbowing me aside to get out of the elevator first? Why did everyone address me with the ugly honorific "Ms."? And those awful sandals with the below-sea-level heels that liberated women had to wear. . . .

CHARLOTTE LOW *is a senior editor at* Insight *magazine.*



"I hardly noticed my heart break for all its rejoicing."
—STEVE STERN, author of *Lazar Malkin Enters Heaven*

Chaim Turkow, a blond, blue-eyed Jewish boy, is sent to the Polish countryside by his parents in hopes that his looks will save him from the Nazi invaders. There he feigns mute idiocy, but his vision remains clear and the horrors he sees drive him toward madness. Only Chaim's insistence on bearing witness, through memory, revives his faith in the human spirit.

"As fitting a memorial for the Six Million as anything manmade can be."
—SUSAN DODD, author of *No Earthly Notion*

THE MAGIC WE DO HERE
Lawrence Rudner

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Nonetheless, as the partner's reflexive remark indicates, feminism—which started out during the late 1960's as an *outré* phenomenon of academic bohemia—quickly and apparently permanently transformed the way of life of the American upper middle class. Male religious leaders now busy themselves trying to think up "non-sexist" names for God. Few indeed are those who have been willing to criticize feminism for its appalling (if ultimately unsuccessful) efforts to blur differences between the sexes, its brutal denigration of motherhood, its indiscriminate nastiness toward men, its contempt for femininity.

In the early 1970's, there were, to be sure, the brave and much-maligned efforts of George Gilder and Midge Decter. Over the past few years, though, the well seems to have gone dry, even though a number of women in real life have been quietly sneaking back to pre-liberation ways: shortening their skirts, forsaking corporate-ladder jobs to stay home with their children, and even strong-arming their men to take them ballroom dancing. Anne Summers, the new editor of *Ms.* magazine, recently expressed dismay at market studies indicating that young women detest the word "feminist," associating it with man-hating. Nonetheless, women who can write have for some reason been mostly silent in print about the absurdities of their feminist *soi-disant* sisters. There are Suzanne Fields in the Washington *Times*, Maggie Gallagher in *National Review*, and Carol Iannone in COMMENTARY, but they are lonely exceptions to the rule.

Perhaps sensing a revanchist vacuum, two men have recently published critiques of feminism. Both Nicholas Davidson, a writer, and Michael Levin, a professor of philosophy at the City University of New York, had trouble finding publishers for their books, apparently because feminist editors hold the major New York publishing houses in thrall. Levin's is said to have languished at several houses before being rejected and finally picked up by a university press; Davidson's hails from a small house in Buffalo, New York. George Gilder has had similar woes. Although he is the author of several best-selling books about economics and technology, he had to turn to a tiny Louisiana publisher when he rewrote his 1973 *Sexual Suicide* as *Men and Marriage* in 1986, because no New York house would touch it.

OF THE two new books, Davidson's is the less serious and the less focused. Its premise is that feminism, defined as a form of social activism aimed at improving the lot of women, accomplished a great deal of good, opening up corporate doors, garnering funds for women's college athletics, and so forth. Then, in 1984, Davidson claims, feminism died, presumably with the numbing vice-presidential candidacy of Geraldine Ferraro. (This year, the Ferraro-like Pat Schroeder went nowhere, despite heavy touting by the National Organization for Women, the same group that pressured Walter F. Mondale to put Ferraro on his ticket.)

"The Feminist Era is over," Davidson declares. "Organized political feminism speaks neither for women nor for progress; it increasingly reflects the views of an embittered minority which has long since forfeited the respect of the 'transitional' generation of its parents and has now lost the pulse of the rising generation." And Davidson predicts: "The major battles over gender issues in the post-Feminist Era will therefore not be fought between feminists and non-feminists but between more standard political groups: socialists, liberals, and conservatives."

Davidson's book glints now and then with zircons of insight. Of the dress-for-success movement, he writes with damning perception:

> Thus, under the closely related pressures of feminism and careerism, a new image of the flower of middle-class American womanhood appeared—one of the most pathetically conformist norms ever seen in a culture as diverse as our own. Fighting back as they could, women spent a part of their new job dollars on sexier underwear. Beneath her drab business suit, complete with collar bow to match the male necktie, the professional woman often swathed her skin in luxurious whiffs of silk and lace. The scruffy running shoes with which the urban legions of women replace their heels at 5 o'clock for the ride home are partly a rejection of the corporate ethos to which the quest for independence has consigned American women, and partly a rejection of the femininity implied by more attractive footwear: a fittingly ambiguous symbol of our era.

"IF SPECIAL PROSECUTORS are here to stay, then let us establish a blue-ribbon trio, perhaps of retired jurists of high repute, to investigate the Wright-Coelho end of Pennsylvania Avenue, as well as the Meese end. This would ensure that, so long as the executive and the legislative are locked in a war of all against all, both will be armed."

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"Dinnerstein [exposes] the bare bones of as vicious an example of anti-Semitism as America has ever produced"—*Saturday Review*.

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And then there is the weepy New Man, presumably beloved of feminists but secretly despised by them as unmanly: "Unable to please either himself or women, the New Man, like the New Woman, was left to the cold comfort of envisioning himself as a pioneer of human progress."

Unfortunately, Davidson displays a tendency to slip out of this sort of high-spirited polemics into mere carping. His book—especially the last two chapters and an appendix, which are specifically addressed to men—occasionally has the whiny tone of one of those "men's rights" meetings where divorced fathers gripe about child support. He also protests a bit too much about feminists' "forcing us all to accept a neutered society"—an unlikely prospect if feminism is really as dead as he says.

The weakest but perhaps most telling part of the book is its exceedingly shallow discussion of abortion. Davidson believes that legal abortion promotes "family integrity and stability"—the idea being, one presumes, that if we get our pregnant daughters to the abortion clinic fast enough they will not be able to embarrass us at the next family gathering. This is the yuppie slant on teen pregnancy, and it puts Davidson in the position of describing the middle-class family in terms—"controlled, self-conscious, a locus of planning"—that recall the feminists' own inclination to regard pregnancy as a nuisance. Such remarks, together with others defending the sexual revolution (it made "millions of people feel more comfortable with their sexuality"), suggest that Davidson likes his women liberated enough for consequence-free sex, and that he may thus be far more ambivalent about feminism than he lets on.

MICHAEL LEVIN's book covers much the same ground as Davidson's, although in a more thorough and thoughtful, if occasionally turgid, fashion. Levin's discussion of abortion, for example, reaches no conclusions about what sorts of restrictions ought to apply to the procedure, but he recognizes, as Davidson fails to do, that human life is at stake, not mere inconvenience. He also slices neatly through the contradictory feminist insistence that abortion should be strictly a matter of private choice, free of government intervention. "Probably the majority of feminists," he writes, "hold that abortion should be publicly funded, which would not leave the matter to private conscience at all, since it would force taxpayers who do not approve of abortion to support it."

Levin is hardly as sanguine as Davidson that feminism is a spent ideology. He argues instead that it has been all too insidiously successful, and is likely to remain so for a long time, largely because it has captured the courts, the government bureaucracies, the educational system from kindergarten through graduate school, and the major philanthropic foundations, which distribute millions of dollars to fund "women's rights" projects. Thus:

> The Supreme Court has outlawed pension plans that use the greater longevity of women as a factor in computing premiums. Public speakers can no longer use "he" or "man" comfortably. Critics reflexively apologize before praising books, movies, or ideas that might displease feminists. Newspaper reports on menstrual disorders note that feminists do not like the idea that there are such things, as if nature were obliged not to mark sex distinctions. . . . Political leaders of every persuasion reflexively apply gender quotas. . . . The popular press continues to suggest that wanting to marry and raise children is a curious goal for a woman.

The ways in which courts and governments implement the feminist agenda—trying to fit the two sexes into the same Procrustean bed, as it were—has produced a laundry list of discordances that is hilarious when it is not horrifying. An example: the desperate efforts of cities, often under the gun of court-ordered quotas, to produce

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substantial numbers of female firefighters. Sensible physical tests clearly related to public safety, such as the ability to carry human loads of a certain size and weight, must be dispensed with. In the new, sex-integrated military forces, most female soldiers simply do not have the strength to meet the minimum tests routinely required of men: lifting standard-size 90-pound boxes of ammunition, throwing a grenade far and accurately enough. Unisex athletics? A joke. Yet as Levin documents, the advocates of "sex equality in sports" have mandated that single-sex teams of children cannot play on public facilities in Minnesota, and that girls in public schools have a constitutional right to try out for boys' teams.

The most frightening use of feminism as an instrument of social control is in education. Levin explores college-level programs in women's studies, where the content usually violates all canons of academic objectivity and the course work is typically laughable (in one course, students can get an A for writing a short paper on how they feel about menstruation). But the worst violations against human nature occur in the "nonsexist classrooms" of the elementary grades: textbooks cannot use the words "housewife" or "mother," and teachers are instructed to break up the single-sex social groupings that all children find natural.

LEVIN is not entirely without hope for the human species, even in the world feminism has created, for he believes that human nature—particularly the abiding desire of women for husbands, children, and families, no matter what they say in public—will out. "Feminists may be beyond rational persuasion, and will continue to proclaim their errors with complete assurance," he writes. "But they are, in the end, asking women to make themselves unattractive to men and to forgo love and children. Feminism will be forgotten, commanding only the loyalty of barren women whose genetic lines are running to extinction."

If Levin displays a fault in all these observations, it is that he tends to rely for much of his argumentation not so much on common sense—which would suffice—as on an odd collection of pseudoscientific theories of a sociological stripe. (Davidson has the same tendency; both authors show the influence of Steven Goldberg's 1973 book, *The Inevitability of Patriarchy*.) Too, Levin seems more enamored than is strictly necessary of the benign workings of an evolutionary free market. Yet these are minor faults in an admirable book. Indeed, there is much to welcome in the message both Davidson and Levin bring us. One wonders when we will start hearing it from women.

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